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## PREFACE.

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WHILE the art of Précis-Writing must recommend itself especially to the attentive study of candidates for impending examination by the Civil Service Commissioners, it is highly desirable that such study should begin several months before examination, to allow due time for acquiring that knowledge of principles and amount of practical experience, on which depends a good capacity for analysing, and condensing into a small compass, a subject the matter of which is spread through many lines, sentences, or documents.

Such knowledge and experience, indeed, should be begun to be acquired at school, in connection with the study of grammatical analysis; for the art of abridgment is very greatly facilitated by acquaintance with the logical structure of sentences, and is a branch of composition of great general utility, and not merely requisite for such as seek to qualify themselves for employment in any of those departments of the public service where abstracts and précis are exacted forms of business.

We have endeavoured, therefore, to make the present treatise suitable for use in schools, by employing the convenient aid of grammatical science, in illustration of the principles upon which discourse may be easily and properly condensed. But, at the same time, we have given the grammatical explanations in such form, that they may without much difficulty be appreciated by those candidates for public examination, who may have previously given little attention to the study of systematic grammar.

## ADVERTISEMENT

TO THE

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IN this Edition a new Chapter has been added, to exemplify and explain that kind of précis which from a series of letters derives a continued narrative of the correspondence. This is the form now generally required of Candidates at the Civil Service Examinations, and the student is therefore recommended to give chief attention to the concluding chapter, and to procure for himself, as a means of further practice in such précis-writing, one or two Parliamentary Papers similar to those given in that chapter.



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# PRÉCIS OR DIGESTS.

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## CHAPTER I.

### INTRODUCTORY OBSERVATIONS.

**1. LANGUAGE** is the chief instrument of human thought; and it is by means of thought already dictated in language that the youthful mind should be first exercised in the art of Composition. The power of inventing thought and expression together, is the result of a reflective study and familiar comprehension of the language of maturer minds.

In the systematic study of composition, there are several kinds of exercise, in which the earlier efforts of the pupil are facilitated and encouraged by a supply of ideas. Thus, there may be related to him an amusing and instructive fable, or a brief and interesting story or description, the particulars of which can be easily remembered, and then his only task will be to express in proper language the ideas of which he has possession : or, there may be placed before him a portion of discourse which he can understand, or by a little explanation can be made to understand, and he may be required to change the given language, and reproduce the same ideas in another dress \* : or, a passage may be

\* See a little work on 'Paraphrasing, &c.,' by the same author.

given of which he is requested to write what the French call a *Précis* \*, that is, a digested abstract : or, the prescribed exercise may be, to amplify a brief statement, either by additional ideas, or by a more extended, explicit, and connected development of the ideas given.

It is obvious that, in all these forms of exercise, the pupil will find less difficulty, than if he were required to produce an entirely original composition ; although to write a really good paraphrase, or to execute in a faultless style any of the above-mentioned tasks, may indeed be beyond the capacity of the young composer.

2. Now, the last two of the species of exercise just mentioned have a peculiar claim to form part of a course of instruction in composition, inasmuch as they are useful not merely on account of their general tendency to contribute to the promotion of ability in writing, but also on account of the extensive connection of the forms themselves with some important departments of business. A clerk may often be required by his employer or superior, to make a digested abstract of the contents of a document or a correspondence ; he may frequently, too, be called upon to extend, in proper epistolary or documentary form, a few briefly indicated particulars. And a youth who has carefully practised the extension and the contraction of writings respectively suitable for such alteration, will have thus qualified himself for greater usefulness, and established a claim to higher estimation, than those who have not made themselves familiar with such modes of composition.

3. To facilitate the acquirement of skill in the composition of abstracts is the design of the present publication ;

\* Pronounced *prayses*.

the composition of extensions being hardly capable of assuming the form of a treatise. The amplification or enlargement of notes, heads, or any brief form of composition, is in general a more difficult species of exercise than the Abstract; it makes a much greater demand upon the powers of memory and invention; but it is much less capable of being explained or illustrated by formal methods of instruction. Indeed, almost all that we could do, in the way of systematically imparting ability in this useful branch of composition would be, to present a series of models and exercises to the consideration of the student, so as to excite and cultivate his power of imitation, and induce upon his mind the facility of habit.

4. When any formal writing, as a treatise, a report, a letter, a narrative, &c., is so reduced in extent as either to retain only the substance, or to exhibit only the chief points or particulars of the original, the abridgment is called an abstract.\* And when an abstract is required,—whether the whole sense of the original is to be expressed in a condensed form, whether its less important particulars are to be omitted, whether a mere summary of its contents is to be prepared, and so forth,—in every case, as great an abridgment of the given language should be aimed at as the required sense will bear. We shall, accordingly, endeavour to discipline the student's mind, by presenting to him the chief aspects under which discourse appears capable of abridgment.

Frequently, of course, abridgment must be found impracticable, as when it is attempted to give in fewer words

\* When some particular portion of a writing is merely to be copied, such transcript is not an *abstract* but an *extract*. We make an *extract from* a writing; but we make an *abstract of* it.

the whole meaning of a sentence or a passage already characterised by the utmost appropriate conciseness. Take, for example, the sentence,—

‘Hope sustains the heart.’

We should hardly find it possible to express the same sentiment in fewer words than these. But the case is different with respect to such a sentence as the following,—

‘It is by hope that the heart is sustained under  
such circumstances;’

for this assertion may, in some instances of its occurrence, be reducible to the form,—

‘Hope then sustains the heart.’

5. We may here caution the student against the error of supposing, that in our attempts to abridge the language of a sentence we are necessarily trying to improve it. Such abridgment may indeed often constitute improvement; but in many instances the best abridgment will be greatly inferior to the original—in force, perhaps, or elegance, or some other characteristic, which it may be quite consistent with the purpose of the abridgment to dispense with.

But, before concluding our introductory observations, we may remark, that abstracts, in common with other forms of composition, ought to be characterised by a due observance of these three principal requisites of good writing,—Purity, Propriety, and Precision.

Purity consists in conformity to the idiom of the language in which we write. It is violated by the use of expressions that are ungrammatical, or not sufficiently authorised by national, reputable, and present usage.

Propriety is the appropriateness of an expression, as regulated by the best usage, to denote the idea we intend

It is violated by expressions that are undignified, or that technically pertain to some other kind of discourse, or that are not at all, or not sufficiently, significant of what we mean.

Precision is the exact correspondence of words to ideas. It is violated by the employment of words denoting more than is sufficient to express the required sense.

## CHAP. II.

### ABRIDGMENT OF PHRASES.

1. PREPOSITION phrases may often be abridged by substituting an adverb, or an adjective, or a possessive case.

A preposition phrase is one that consists of a preposition and its object, as in the examples—‘with expedition,’ ‘of great utility.’ It has in most instances the meaning of an adverb, and in all other instances is equivalent to an adjective, unless it can be replaced by a possessive case, which in reality is of an adjectival character.

Sometimes, therefore, the substitution of an adverb, or an adjective, or a possessive case, will more briefly express the meaning of a preposition phrase. We say *sometimes*, for the fact of a preposition phrase being equivalent to an adjective, or to an adverb, does not necessarily imply that there is such an adjective or adverb really existing in our language.

*Example 1.* ‘He was in reality under a mistake.’

Here the preposition phrase *in reality* has the meaning of the adverb *really*, and the phrase *under a mistake* is equi-

valent to the adjective or participial word *mistaken*. Hence, the given example, when abridged, becomes—

‘He was really mistaken.’

*Ex. 2.* ‘The calculations of that boy are at all times performed with great neatness.’

The phrase of *that boy* may obviously be changed into the possessive form *that boy’s*. Also, the phrase *at all times* has an adverbial meaning, being convertible into *always*; and *with great neatness* has the same meaning as the adverbial expression *very neatly*. Hence, by abridgment—

‘That boy’s calculations are always performed very neatly.’

*Ex. 3.* ‘A school-room erected in this locality might be of use for two purposes.’

Here we have the preposition phrases *in this locality*, *of use*, and *for two purposes*; the first of these might be rendered by the adverb *here*, the second by the adjective *useful*, and the third by the adverb *doubly*. Accordingly, although the word *useful* is not an abridgment of the phrase to which it corresponds, the employment of it makes the abridgment of the third phrase more appropriate, and the whole meaning may be more briefly expressed by saying—

‘A school-room erected here might be doubly useful.’

2. Sometimes a verb alone will be found sufficient to express the combined meanings of a verb and some accessory expression, such as a noun, an adjective, an adverb, a preposition or preposition phrase.

*Ex. 1.* ‘He was a teacher of French.’

It is obvious that the meaning of these words will very often admit of being expressed by saying—

‘He taught French.’

The verb *was* and the apposition nominative *a teacher* are thus both comprehended in the single verb *taught*, which is made transitive by omitting *of*.

*Ex. 2.* 'The enemy at that moment took flight.'

In this sentence, besides the preposition phrase *at that moment*, which may be changed into the adverb *then*, we have the expression *took flight*, a transitive verb and its object, equivalent to *fled*; we may therefore substitute the sentence —

'The enemy then fled.'

*Ex. 3.* 'I cannot make a longer stay at this time.'

We have here again a preposition phrase equivalent to an adverb, viz. *at this time* = *now*. The other part of the sentence may be shortened in two ways; either we may use the verb *stop* instead of the verb and noun *make a stay*, or we may use the verb *prolong* instead of the verb and adjective *make longer*; there is therefore a choice of the abridgments —

'I cannot stop longer now.'

'I cannot now prolong my stay.'

*Ex. 4.* 'He delayed from time to time, until opportunity came to an end.'

The verb *delayed*, when modified by the preposition phrase *from time to time*, signifies *procrastinated*; also, *came to an end* is a verb and preposition phrase equivalent to *ceased*. We may write, therefore, instead of the above —

'He procrastinated until opportunity ceased.'

*Ex. 5.* 'He turned aside from the path of virtue.'

Instead of the verb *turned* with its modifying adverb *aside*, the single word *deviated* may be employed; and



substituting a possessive case for the concluding preposition phrase, we have —

‘He deviated from virtue’s path.’

EXERCISES [A].

1. In what place and at what time shall I meet you ?
2. The arrangement was of greater utility at that time than it would be at the present moment.
3. You will be in greater safety in this place than in any other.
4. A monument to the memory of the general has been erected in the vicinity of the town.
5. Your application will be of no avail, as you are beyond the maximum age.
6. By acting in this way you will in a very short time attain the object of your desire.
7. By the time that our author had carried his history up to this point, he was in a condition to accept the proposal of the publisher.
8. In a short time afterwards the prisoner made his escape.
9. Have you given much attention to the study of composition ?
10. As he went out of the room I could not help shedding tears.
11. This author from whose pages we have made so many quotations received his education at Glasgow.
12. What reason can we assign for the fact that the possessions of the world carry with them so little satisfaction ?
13. All our efforts to keep out of the way of this adversary proved ineffectual.
14. Do you from this draw the conclusion that his idleness became his ruin ?

15. He fondly entertained the hope of a return in safety to the land of his fathers.

16. I was revolving in my mind the reasons why Orlando never grew weary in this pursuit.

17. I ardently hate flattery ; let people speak disparagingly of my talents rather than praise them without sincerity.

18. You cannot find fault with him for trying to make himself eligible for promotion, and taking advantage of every opportunity of making his condition more comfortable.

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### CHAP. III.

#### REDUCTION OF COMPOUND SENTENCES.

1. A COMPOUND sentence, that is to say, a sentence made up of two or more simple sentences, will sometimes admit of condensation by fusing, as it were, two clauses into one. Thus, instead of saying 'Let me remain where I am,' the clause 'where I am' may be replaced by an adverb, converting the compound sentence into the simple one 'Let me remain here.'

In order to render this source of abridgment appreciable, we will make some observations on the distinction of principal and subordinate clauses in a compound sentence, referring those who seek fuller information on this subject to a treatise on Paraphrasing and Analysis by the author of the present work.

2. Every compound sentence contains at least one principal clause, that is, one which in its logical character is a leading clause.

A compound sentence may be a combination of principal clauses only, as in the example 'Prosperity gains friends, and adversity tries them,' where it is evident that the assertion, 'adversity tries friends' is logically co-ordinate to the assertion 'prosperity gains friends.' It would be different, however, were we to say 'Adversity tries the friends whom prosperity has gained,' for here the second clause is logically dependent on the first.

3. A subordinate or dependent clause is collectively equivalent to a noun, or to an adjective, or to an adverb.

A noun sentence is one that expresses a circumstance, whether subject or object, respecting which another sentence makes assertion. In the following examples the italicised portions are noun clauses:—

'*That the story is worthy of being believed* has never been affirmed;' = 'The credibility of the story has never been affirmed.'

'*Whether he will return* is uncertain;' = 'His return is uncertain.'

'I do not know *what the result has been*;' = 'I do not know the result.'

An adjective sentence is one that describes something, much in the same way as an adjective or participle qualifies a noun, and is generally connected by a relative pronoun with the clause in which the thing described occurs. In the following examples the words of the adjective clause are italicised:—

'Men *who have wisdom and virtue* are nobler than men *who have wealth*;' = 'Wise and virtuous men are nobler than wealthy men.'

'I have found the sheep *which was lost*;' = 'I have found the lost sheep.'

'We discovered the place *in which he hid himself*;' = 'We discovered his hiding-place.'

An adverbial sentence is one which modifies the meaning of another clause much in the same way as an adverb expresses some condition of time, place, manner, comparison, or cause.

Thus, in saying 'Let me remain *where I am*,' the clause 'where I am' modifies the verb *remain* like an adverb of place, and, as already remarked, may be exchanged for the adverb *here*.

Thus, also, the sentence 'The Pharisees did all their religious works *that they might be seen of men*,' is equivalent to 'The Pharisees did all their religious works ostentatiously.'

We can sometimes express the meaning of an adverbial clause by an adverbial preposition phrase. Thus, the sentence, '*Because he was ambitious* I slew him,' is the same as 'For his ambition I slew him;' and the sentence 'It affected me *so much that I shed tears*,' is the same as 'It affected me to tears' (= *tearfully*).

*Note 1.* In attempting to alter language, there is some risk of substituting words not sufficiently significant of the intended meaning of the original: especial care is requisite to avoid this risk in the conversion of two clauses into one. Thus the compound sentence '*When he will return* is uncertain,' in which the italicised words form a noun clause, is equivalent to 'The time of his return is uncertain,' which is a simple sentence; but this simple sentence not being shorter than the compound, there is a temptation to substitute the words 'His return is uncertain,'—words which represent rather *the fact* than *the time* of return as being uncertain. We may often, however, avail ourselves of such abridgment by altering an expression in another clause, as in the example 'I do not know *what will be the result*,' = 'I do not foresee the result.'

*Note 2.* Sometimes, with the design of abridgment, we

may change the adjective or adverbial character of a clause, if we change also the language of the clause described or modified. In this way two clauses are fused into one in each of the following examples —

‘I stayed at home *because I was ill*,’ = ‘Illness kept me at home.’

‘Where is the man *that possesses greater abilities in war*?’ = ‘What man possesses greater abilities in war?’

In the first of these examples, the *adverbial* clause ‘because I was ill,’ could not have been changed into the *noun*, ‘illness,’ without some corresponding alteration in the other clause, as ‘kept me’ instead of ‘I stayed.’

In the second example, the adjective sentence ‘that possesses greater abilities in war’ is converted into a principal one, by merging its relative pronoun *that* with the interrogative part of the first clause, and thus producing the interrogative pronominal adjective *what*.

#### EXERCISES [B].

1. After I have read the first volume, I shall read it again.
2. To say the truth, I do not know the reason for which he was punished.
3. What is the reason that he did not pay any attention to what you proposed?
4. Cato, although he had no evil intentions, frequently did injury to the commonwealth.
5. Where opportunities of exercise are wanting, temperance may in a great measure supply its place.
6. We must not suppose that prayer can penetrate the heavens, unless it be pointed with sincerity.
7. He has promised to intercede for me, which is very kind of him; but whether he will succeed is uncertain.
8. That the poet would have obtained greater distinction, if his life had been prolonged, does not seem probable.

9. The fact that he was absent has been established beyond a doubt; so that it is unnecessary to bring forward any other proof that he is innocent.

10. I found that through trap-doors, which lay concealed in the bridge, the passengers were dropping into the tide which flowed underneath it.

11. Mercury is fluid at all ordinary temperatures; but, when it is exposed to very intense cold, it may be frozen into a hard solid which looks like silver.

12. It filled me with astonishment and affected me with sorrow, to hear him utter such intemperate language about a difficulty which might so easily be avoided.

13. The story of the old man and his ass, with which every one is familiar, presents an example of the fact, that there cannot be a greater piece of folly than to endeavour to please all mankind.

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## CHAP. IV.

### OMISSION OF THE LESS IMPORTANT IDEAS.

1. We proceed to that species of abridgment which is characterised by the omission of some of the less necessary or important ideas of a passage. The student will now be required to exercise judgment, not only in diminishing the length of phrases and the number of clauses, but also in so cancelling some minor facts or statements in the original, as to leave its main basis or framework properly displayed. Of course, there are some purposes for which this pruning process may be exacted to such an extent, as will reduce the original to a mere index or very brief summary; we intend here to exemplify what is ordinarily aimed at in an abridgment professing to retain the substance, or the more

important material of a passage, in a connected and readable form.

*Example 1.* 'Commerce and navigation received a mighty impulse from the discovery of a new world by Columbus, a Genoese in the service of Spain.'

It may readily appear, that the circumstance chiefly intended to be communicated by this assertion, is the influence which the discovery of America exercised on commerce and navigation, and not the fact of Columbus being the discoverer; regarding that fact, therefore, as one familiar to everybody, we may omit the reference to it, and abridge the sentence thus,—

'The discovery of America gave a mighty impulse to commerce and navigation.'

*Ex. 2.* 'Hercules, having in a fit of passion killed his wife and children, was commanded by Eurystheus, king of Mycenæ, to make atonement for his crime, by encountering those incredible toils and dangers commonly called the twelve labours of Hercules.'

An abstract of this may very naturally include simply an assertion of the cause which occasioned the hero's renowned achievements, omitting the circumstances in which the crime was committed, and the name of the prince who imposed the penalty: thus,—

'Hercules, for having killed his wife and children, was condemned to those wonderful toils and trials called his twelve labours.'

Here the word 'condemned' is used as equivalent to 'commanded to expiate a crime,' and 'condemned to encounter dangers' is relieved of the word 'encounter' by writing 'trials' instead of 'dangers.'

2. This species of abridgment is chiefly required for passages of much greater length than the examples just

given. We now, therefore, subjoin a passage affording better scope for exercise.

*Ex. 3.* 'A man one day walking in the country, wondered at seeing so small a fruit as the acorn growing on the large and sturdy oak, while he observed a small weak plant bearing pumpkins of great size. "Surely," he said, "this world cannot be the result of wise design : how much more consistent would it have been to make the pumpkin the produce of the large tree, and the acorn that of the humbler plant." In the midst of such reflection, the weather being oppressively warm, he became very drowsy, and lay down to sleep under the shade of a huge oak. But, while he slept, a breeze of wind shook down some acorns from the tree, and one of them in falling, struck his face and awoke him. When he discovered the cause of disturbance, he could not help exclaiming, "This is, indeed, a proper lesson for me. How foolishly did I argue, and how impiously did I disparage the wisdom which planned Creation ! How severely hurt I should have been, had a pumpkin, instead of an acorn, fallen upon me from such a height !"'

The divested framework of the story may be exhibited as follows :—

'A man one day contrasting the smallness of acorns with the largeness of pumpkins, thought it could not be the result of wise design that the former should grow on a tree so large and strong, while the latter were borne by a small and feeble plant. Happening, however, to feel drowsy, he lay down to sleep under an oak ; but he was soon awaked by the fall of an acorn upon his face. Then he acknowledged the reproof of his folly, and how much more serious the reproof would have been, if a pumpkin had fallen upon him.'

In this abstract, we have exhibited in proper order, and with sufficient distinctness, those ideas which it is the chief



purpose of the story to convey. It will be observed that the first and second sentences both refer to the contrast between the acorn and the pumpkin; they are therefore blended in the abstract, leaving out these unimportant circumstances, that the man saw the fruit while walking in the country, and that he questioned in general terms the wisdom of creation. Then, we have omitted reference to the oppressive heat overpowering him in the midst of his reflections, because, for the purpose of the story, it is sufficient to say that he happened to feel drowsy and lay down to sleep under an oak. It is also obviously sufficient to mention the fall of the acorn upon his face without reference to the wind shaking down several from the tree. And lastly, replacing by a simple adverb of time the adverbial clause 'when he discovered the cause of disturbance,' we have exchanged the language of the exclamation for a condensed description of its import.

#### EXERCISES [c].

1. The torpedo is a kind of fish, nearly circular in shape, and varying in weight from one to fifteen pounds. It is remarkable for possessing the unaccountable power of benumbing, the instant that it is touched, not only the hand and arm, but the whole body of the person who touches it.

2. As no man (at least with decency, convenience, and comfort,) can live in the world without being obliged to divers other men for their help in providing accommodations for him; so justice, corroborated by divine sanctions, does require of him, that, in commutation, he in one way or other should undertake some pains redounding to the benefit of others.

3. Philip's war against England, in the vain confidence with which it was undertaken and its disastrous issue,

bears some resemblance to the invasion of Greece by Xerxes. Both these haughty monarchs relied more upon an overwhelming force than the skill with which it was directed; and their enterprises came to nought, from the unexpected skill and courage of enemies they despised.

4. A farmer came one day to a neighbouring lawyer, expressing great concern for an accident which he said had just happened. 'One of your oxen,' continued he, 'has been gored by an unlucky bull of mine, and I should be glad to know what reparation can be made.' 'You are a very honest fellow,' said the lawyer, 'and will not think me unreasonable in expecting that I should receive one of your oxen in return.' 'That is no more than justice,' quoth the farmer, 'to be sure; but, what did I say? I mistake; it is a bull of yours that has killed one of my oxen.' 'Indeed!' says the lawyer, 'that alters the case; I must inquire into the matter; and if—' 'And if?' said the farmer; 'the business, I find, would have been concluded without an *if*, had you been as ready to do justice to others as to exact it from them.'

5. A stag, quenching his thirst in a clear lake, was struck with the beauty of his horns, which he saw reflected in the water. At the same time, observing the extreme slenderness of his legs, 'What pity it is,' said he, 'that so fine a creature should be furnished with so despicable a set of spindle-shanks! What a truly noble animal I should be, were my legs in any degree answerable to my horns!' In the midst of this soliloquy, he was alarmed with the cry of a pack of hounds. He immediately bounded over the forest, and left his pursuers so far behind that he might have escaped; but, taking into a thick wood, his horns were entangled in the branches, where he was held till the hounds came up and tore him in pieces. In his last moments he thus exclaimed: 'How ill do we judge of our

own true advantages! The legs which I despised would have borne me away in safety, had not my favourite antlers betrayed me to ruin.'

6. The statue of Shakspeare now in the British Museum, was executed by Roubiliac for Mr. Garrick, who placed it in a temple, erected for the purpose, in his garden at Hampton, where it was to remain during the life of his widow, and at her death was to become the property of the British Museum, as may be seen by his will, dated the 24th of September, 1778, printed at the end of the second volume of Davies's *Life of Garrick*. Mr. Garrick had agreed to give Mr. Roubiliac three hundred guineas for it, and the artist was to make use of the best marble he could afford for the money. Unfortunately, however, the block turned out full of veins, which rendered the face so hideous to Mr. Garrick, that he declared he would not put up the statue. Roubiliac assured Mr. Garrick that it was the best marble he could use for the price of the figure, but that in order to make it agreeable to him, he would cut off the head, and replace it with another, carved from a fine clear piece of marble; which he did, to the great satisfaction of his employer.

7. Alfred, reduced to extremity by the Danes, who were spreading devastation all over England, was obliged to relinquish the ensigns of his dignity, to dismiss his servants, and to seek shelter in the meanest disguises, from the pursuit and fury of his enemies. There passed here an incident, which has been recorded by all the historians, and was long preserved by popular tradition, though it contains nothing memorable in itself, except so far as every circumstance is interesting which attends so much virtue and dignity reduced to such distress. The wife of a neat-herd, in whose cottage he lodged, was ignorant of the condition of her royal guest; and observing him one day

busy by the fireside in trimming his bow and arrows, she desired him to take care of some cakes which were toasting, while she was employed elsewhere in other domestic affairs. But Alfred, whose thoughts were otherwise engaged, neglected this injunction ; and the good woman, on her return, finding her cakes all burnt, rated the king very severely, and upbraided him, that he always seemed very well pleased to eat her warm cakes, though he was thus negligent in roasting them.

8. The following anecdote of Baber, the illustrious Mogul Emperor, shows how much he was under the influence of superstition. His eldest and favourite son Hoomayoon was dangerously ill, no hope being entertained of his recovery, when a dervish, or Mahometan monk, represented to him that the prayers of a father for the life of a son were sometimes granted by Heaven, when the parent accompanied his prayers by the sacrifice of what he prized most dearly next to the implored benefit. Some of Baber's friends remarked to him that one of his jewels, which was of enormous value, would be the costliest sacrifice he could make, and advised him to surrender it as a ransom for the son's recovery. But Baber replied, that while he valued the life of his son above all other things, his own life, and not the precious jewel referred to, was the next thing he valued most, and that he was resolved to sacrifice himself in the hope of thus ensuring the restoration of his son's health. Accordingly, he went into Hoomayoon's chamber, and walked three times round the sick-bed, imploring Heaven to transfer to himself the disease that was destroying the life of his son ; and when he had completed the third round, he exclaimed in the most assured manner, 'I have borne it away! I have borne it away!' It accordingly happened, whatever explanation may be given of the mystery, that the youth

gradually recovered his health, while the father fell sick and died.

9. An old man and his son were driving their ass to the market, in order to sell him.—‘What a fool is this fellow,’ says a man upon the road, ‘to be trudging on foot with his son, that the ass may go light!’ The old man hearing this, set his son upon the ass, and went whistling by his side.—‘Why, sirrah!’ cries a second man to the boy, ‘is it fit for you to be riding, while your poor old father is walking?’ The father, upon this rebuke, made his son dismount, and got up himself.—‘Do you see,’ says a third, ‘how the lazy old knave rides along upon his beast, while his poor little boy is almost lame with walking!’ The old man no sooner heard this, than he took up his son behind him.—‘Pray, honest friend,’ says a fourth, ‘is that ass your own?’ ‘Yes,’ says the man. ‘One would not have thought so,’ replied the other, ‘by your loading him so unmercifully: you and your son are better able to carry the poor beast than he you.’ ‘Anything to please,’ says the owner: and alighting with his son, they tied the legs of the ass together, and by the help of a pole endeavoured to carry him upon their shoulders over the bridge that led to the town. This was so entertaining a sight, that the people ran in crowds to laugh at it, till the ass, conceiving a dislike to the over-complaisance of his master, burst asunder the cords that tied him, slipped from the pole, and tumbled into the river. The poor old man made the best of his way home, ashamed and vexed that, by endeavouring to please everybody, he had pleased nobody, and lost his ass into the bargain.\*

\* In addition to these Exercises, the pupil may be required to write an abstract of a reign, a biography, or any narrative or descriptive passage, such as those contained in ordinary school-books.

## CHAP. V.

## REMOVAL OF TAUTOLOGY, PLEONASM, ETC.

WE will now refer to those characteristics of language called tautology, pleonasm, verbosity, and periphrase or circumlocution, as affording scope for abridgment. They are not always faulty, but on the contrary are often conducive to perspicuity, emphasis, or rhythm. Of course, when they are faulty, the sentences which contain them not only may, but ought to be, corrected; and this correction, as we shall presently show, will reduce the amount of language.

Tautology is a repetition of the same words, or of the same meaning in different words.

Pleonasm is an addition of words which, though not synonymous, yet add nothing to the sense.

Verbosity is a superabundance of language which, though not including tautology or pleonasm, can as a whole be replaced by fewer words expressing the same thought.

Periphrase, or periphrasis, is what is generally called a roundabout mode of expression, like many of the definitions of words in a dictionary.

*Example 1.* 'He performed and executed the work to my complete and entire satisfaction.'

This sentence not only admits, but also requires abridgment; for the words *performed* and *executed*, as here employed, are synonymous, and so also are the words *complete* and *entire*. Removing therefore this double tautology, we have the abridged form —

'He performed the work to my entire satisfaction.'

*Ex. 2.* 'I shall return back in a week's time.'

This sentence also is faulty. The word *back* is a tautology, since *to return* means *to turn back*; and the word *time* is a pleonasm, for it expresses nothing additional to what is meant by *a week*. The sentence ought to be —

'I shall return in a week.'

*Ex. 3.* 'Of the scanty portion of days assigned to our lot, we should not suffer one to be trifled away in procrastination.'

Here is an instance of verbosity; the sentence is not a bad one, nor can it be much shortened by any direct abridgment, yet we may recast the same ideas in other and fewer words by saying —

'Not a day of our short life should be lost in procrastination.'

*Ex. 4.* 'The author of the *Waverley Novels* was not only remarkable for his talent; he was equally remarkable for his industry.'

'Sir Walter Scott' is here called, by periphrasis, 'the author of the *Waverley Novels*,' and the periphrasis is appropriate enough, as it refers to the chief evidence of Scott's industry and talent; we may, nevertheless, in an abridgment, dispense with the periphrasis; and further, we may cancel the tautology of the last clause, notwithstanding the emphatic force of the repetition. The sentence may then assume the following form —

'Sir Walter Scott was as remarkable for industry as for talent.'

*Ex. 4.* 'Such general intelligence and extensive information, in so young a person, have frequently filled us with wonder and astonishment.'

In this example, the words *intelligence* and *information* may be regarded as synonymous; one of them, therefore, should be left out; although the adjectives *general* and

*extensive* may both be retained, by ascribing to the young person extensive general intelligence, or extensive general information. Again, the words *wonder* and *astonishment*, although not, perhaps, to be regarded as here synonymous, are so nearly allied in meaning, that one of them may be left out. *Wonder* expresses less than *astonishment*, and the import of the assertion might be that in some instances wonder was felt, and in others the stronger emotion of astonishment. But when abridgment is aimed at, such slight distinctions may be neglected. Let us reject, therefore, in the present instance, the weaker of the two terms, and the whole sentence may be reduced to this —

‘Such extensive general intelligence in so young a person has frequently astonished us.’

#### EXERCISES [D].

1. I must again resume my task.
2. July and August were oppressively warm months.
3. He promotes his own happiness and the happiness of all by whom he is surrounded.
4. His mind, I could plainly perceive, was at that time in a very wavering and unsettled state.
5. Philosophy is completely at a loss, when she is asked to explain what electricity is.
6. There appears to exist among men a much greater desire to live long than to live well.
7. A rumour was spread that Philip was sick; that rumour was followed by another, that Philip was dead.
8. If men of eminence receive reproaches which they do not deserve, they likewise receive praises which are not due to them.
9. At no period of the world's history has there appeared a more remarkable genius than the Bard of Avon.



10. I seriously affirm that I saw with my own eyes the occurrence which I communicated in my letter to the Times.

11. When I last wrote to you, it was in expectation of very soon seeing you, and therefore my letter was a very short one.

12. The science which describes the surface of the earth and its inhabitants, is, in my opinion, a very interesting department of instruction.

13. All animal and vegetable life is dependent upon the atmosphere, and man is equally dependent upon it.

14. It is a common maxim, and at the same time a just one, that we can exert more influence by means of example than by means of precept.

15. From the manner in which he acted, we might suppose that he intended to treat with disregard his best friend, and to show favour to his worst foe.

16. It is obviously manifest, that if the plan here suggested and recommended will answer for twenty persons, its difficulties will lessen with increasing numbers, when once it has been started, and the expenses will lessen in proportion with the numerical increase.

17. One very hot and sultry day in the month of September, a fox perceived some delicious-looking grapes nailed up to a trellis. They hung very high, and were indeed beyond his reach; but he was very thirsty, and longed for the refreshing juice of the grapes, as they looked exceedingly nice and tempting; he determined, therefore, not to pass them by and continue on his journey, without at least making an attempt to obtain some of them. Having, however, leaped up at them several times, and endeavoured with all his might to get at them, all his strivings to obtain possession of them were unsuccessful. At length, when he found all his efforts of no use, he sud-

denly turned away and pursued his journey, saying to himself as he went, 'Pshaw! after all, I dare say they are nasty sour things, not worth having, and not fit to be eaten if I had them. I wonder that I gave myself such an amount of trouble about them.'

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## CHAP. VI.

### REDUCTION OF ORNAMENT.

WHEN diction is of a figurative or an ornate character, the substance of what it expresses may sometimes be considerably reduced in form,—impairing thereby perhaps the sentimental force and beauty of the original, but nevertheless answering some purpose of literary, or scientific, or commercial convenience.

In some sentimental passages, the sense will be found so involved in the rhetoric, that we cannot properly divest the language of its ornamental dress, or subject it to any abridgment. In such cases, however, abridgment is seldom desirable for any useful purpose.

*Ex. 1.* 'Time's effacing fingers will gradually wear down the inscription to a nameless blank.'

We have here the familiar representation of time as an ideal person, to whose agency is imputed the attrition which stone inscriptions undergo from the weather and other causes. The plain meaning evidently is, that gradually, or in the course of time, the surface on which the inscription is carved will be worn down, and the letters will disappear. Hence it may be sufficient to say —

'In course of time the inscription will be worn away.'

It will be observed, that the substitution of the phrase

worn away, for *worn down*, is intended to preclude the necessity of adding the words to a *nameless blank*.

*Ex. 2.* 'He had hardly left the house, when a living avalanche of mounted Cossacks rushed across the path on which he had entered.'

The fact rhetorically expressed by the assertion, that he had hardly left the house, is simply that he had just left it. Then, a living avalanche is metaphorically descriptive of a rushing horde; the rushing of mounted Cossacks may be simply denoted by saying, that they galloped across the path; and the descriptive or adjective clause, *on which he had entered*, may be exchanged for the word *his*; so that the example may be transformed thus,—

'Just as he left the house, a horde of Cossacks galloped across his path.'

*Ex. 3.* 'The surface of the Sea of Galilee is about 300 feet below the level of the Mediterranean sea; its waters are cool, sweet, and transparent, and they still, as in ancient days, abound in fish, although a fisher's boat is rarely seen floating on this silent sea. A dreamy quiet here prevails, as if the waters, in musing stillness, cherished the memory of those wondrous days, when the sons of Zebedee, and other disciples of the Messiah, plied their busy occupation, and when the Lord from heaven was among the children of men, and beneath His feet the tumultuous waves became stable as adamant. The noiseless melancholy of the scene is, to the Christian visitor, eloquent of the sacred past; for there is a charm even in shores that are almost tenantless, and in waters that are unstirred by industry, when the eye, unattracted by modern towns and traffic, leaves the imagination free to indulge in a visionary resurrection of the days of miracle and hallowed mystery.'

We shall here give an abridgment first, and follow it by observations explanatory of the several changes.

'The surface of the Sea of Galilee is about 300 feet below the Mediterranean level; its waters are fresh and clear, and still abound in fish, although a fishing-boat here is a rare sight. The solitary stillness of the scene suggests by contrast the recollection of the Galilean fishermen here plying their busy occupation, and here beholding their Divine master walking upon stormy waves. The absence of towns and traffic is a circumstance favourable to the indulgence of meditation on the hallowed wonders of the past.'

Here, in the first place, the preposition phrase *of the Mediterranean sea* has the meaning of an adjective qualifying *level*, and may be replaced by the single word *Mediterranean*. Of the three adjectives *cool*, *sweet*, and *transparent*, the joint meaning of the first two is sufficiently overtaken by the word *fresh*, and the third is equivalent to the shorter word *clear*. Then, the adverb *still* is sufficiently allusive to the fishing occupation anciently practised on the Sea of Galilee, so that the words *as in ancient days* are unnecessary. The words *floating on this silent sea* are also unnecessary, because the *silence* of the scene is asserted in the sentence following. In that sentence the waters are represented as lying in a state of dreamy quiet, and musing on the time when the fishermen, here busily employed, beheld their Divine master walking on stormy waves; now we wish to express the reality on which this imaginative description is founded, and that reality must be sought in the feelings of the spectator; just as when we speak of a joyful day, we mean a day that makes people joyful, so the quiet waters, musing on former scenes of bustle and of storm, signifies that the present stillness suggests to the spectator's mind the former contrast; accordingly in the above abridgment, we have made the statement of this reality take the place of the imaginative language, the sons of Zebedee and other disciples being referred to by the

brief title of Galilean fishermen. Lastly, as to the concluding sentence, the first assertion may be omitted, for, besides its being only a more direct reference to the reality which we have just stated, its meaning is involved in what is said of the tenantless shores and unstirred waters; moreover, what is said of these is only an anticipation of the remark, that the eye is unattracted by modern towns and traffic, and therefore may be also omitted. The remainder of our abridgment, then, consists of a plain statement of what is figuratively implied by the imagination being left free, that is, undisturbed or in a favourable condition, to call up before the mind's eye, from the grave of the past, the hallowed days of the Messiah's earthly ministry.

#### EXERCISES [E].

1. We must not expect that our prayers shall penetrate heaven, unless they are pointed with sincerity.

2. I have been taking a survey of your locality, and am actuated by ardent wishes to have my residence in the midst of scenery so enchanting.

3. The state now exhibited the settled aspect of security; but the appearance was fallacious. A storm was secretly brewing, which was soon to burst forth against the towers of despotism and superstition, and level them in the dust.

4. A man's heart may be deceitful even to himself; it may send messages to his mind by words that are lying messengers, — words which invest iniquity with the appearance of rectitude, and which represent a condition of great danger as being full of security.

5. In Henry the Fourth we see the crown of England glittering on the brow of an anxious and melancholy man. Our immortal dramatist harmonises poetry with historic truth in presenting to us that scene of royal sadness, where Henry in a still hour of night, amidst the lonely grandeur

of his palace, looks forth from a window upon the silent habitations of the sleeping city, and laments his ineffectual efforts to induce upon his own careworn spirit the soothing influence of slumber.

6. The territory allotted to the posterity of Abraham was fenced around with mountain, wilderness, and sea, as if to isolate its inhabitants from the idolatrous remainder of the world's population. Heaven's purpose with the Israelites was, to preserve them a distinct and peculiar people, as guardians of the sacred oracles, and as subjects of a temporary and typical exemplification of the general principles of the Divine government. In order then to observe how their intercourse with the rest of the world was discouraged, survey the outskirts of their land:—its northern boundary was the lofty mountain barrier of Lebanon; on its eastern side the great Syrian desert interposed its inhospitable expanse; rounding from east to south we traverse the Arabian wilderness; westward of which are the wild wastes of the neutral ground, extending, between Egypt and Palestine, to the Mediterranean coast; after which the great deep itself becomes the guardian of the western frontier.

7. While the Lake Tiberias was so much distinguished by the presence of Messiah and His chosen ambassadors, the fulness of time brought with it no charms of sacred incident for the waters of Siddim. In almost unfrequented loneliness they slept with their embosomed dead, when other parts of the valley of Jordan were consecrated by the footprints of Redemption's progress. And since then, the same sterility and stillness, the same solitary and dismal aspect, have prevailed throughout this judgment-stricken region. Precipitous and barren cliffs, on the east and west, stand like the frowning sentinels of Death's dreary prison; while the waters themselves, copiously

charged with saline and bituminous matter, permit no fish to live in them, and therefore the fowls of the air are seldom seen within the valley.

8. Joan of Arc declined the munificent rewards with which royal gratitude sought to recompense her wonderful and invaluable services. Her mystic banner had made the besiegers of Orleans arise and flee, and had subsequently waved in triumph at the coronation of Charles the Seventh at Rheims; and this prosperous accomplishment of her mission filled her mind with glorious thought, in the enjoyment of which she found, as regarded herself, a sufficient recompense. But for Domremy, where she had been born, where she had tended her father's flocks, and where visions and voices of saints had excited her to the enterprise of delivering her country, — for that dear village she made request that it should thenceforth be exempt from taxation. The request was granted; and for three centuries and upwards did the registry of taxes bear opposite the name of her native village 'Exempt on account of the Maiden.' From the period of the French Revolution, when so many historical associations were severed, Domremy no longer enjoyed the immunity commemorating the heroism of the Maid of Orleans.

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## CHAP. VII.

### PROMISCUOUS EXERCISES ON THE PRECEDING CHAPTERS.

'THE subjoined passages are intended to afford general practice in all the varieties of abridgment we have hitherto exemplified. They will exercise the student's mind in discerning what kind of alteration may be peculiarly applicable to any particular passage.

## EXERCISES [F].

1. The interests of the soul are more precious and important than the interests of the body.

2. I will return again to the same subject on which I addressed you formerly at our last meeting.

3. I was obliged to stop, because I had not sufficient money to enable me to proceed on my journey.

4. Imagination should not be indulged too freely; it requires to be restrained by the exercise of a sound judgment.

5. The dramatists of the time of Elizabeth had in a great majority of cases received an academical education.

6. I am unable to understand how so small a quantity of food should have been found sufficient for so long a period.

7. A doubt still remained in my mind whether it was possible for so young a person to have acquired so great an amount of information.

8. Knowledge gives true judgment of earthly things, and true judgment of earthly things gives a demonstration of their insufficiency to our peace.

9. I admit that your efforts have been laborious, nor can I deny that the result of them has been successful; but will you inform me to what useful purpose that result can be applied?

10. It is very difficult to make a lecture interesting and attractive to children, without the use of drawings or painted representations, giving pictorial illustration of some portions of the subject.

11. The study of the animal kingdom forms an extensive and interesting department of knowledge, which is intimately connected with the most common necessities and enjoyments of the human species.



12. In six days God reared the magnificent creation, turning the rude chaos into symmetry, and pervading it with life, so that beauty and animation succeeded to what was shapeless and inert.

13. A man acquainted with history may in some respect be said to have lived from the beginning of the world, and to have been making continual additions to his stock of knowledge in every century.

14. The aim of education should be to teach us rather how to think than what to think; rather to improve our minds so as to enable us to think for ourselves, than to load the memory with the thoughts of other men.

15. In the inferior animals, every part of the knowledge possessed by the whole species is the property of every individual of that species, while man is distinguished by numberless diversities in the scale of intellectual improvement.

16. It will be very illiberal and ungenerous on your part, if, through your permission, I am allowed to be suspected and regarded as having all along foreseen the disastrous issue which has been the result of your unfortunate speculation.

17. While we consider riches as the means to be used at some future time for the attainment of felicity, ardour after them secures us from weariness of ourselves; but no sooner do we sit down to enjoy our acquisitions, than we find them insufficient to fill up the vacuities of life.

18. I have devoted a great amount of time, and toil, and money, to establish a good demand for your manufactures; and surely the success which you have reaped from my personal sacrifices and exertions make it not unreasonable that I should expect to be allowed some participation in the profits.

19. There is no society or conversation to be kept up in

the world without good nature, or something which must bear its appearance and supply its place. For this reason, mankind have been forced to invent a kind of artificial humanity, which is what we express by the word good-breeding. For if we examine thoroughly the idea of what we call so, we shall find it to be nothing else but an imitation of good nature.

20. If the Hebrew prophet had requested the proud captain of the host of Benhadad to do some great thing, would he not have done it? Yes; if to his carnal judgment there had seemed any proportion between the magnitude of the means prescribed and the importance of the effect desired, Naaman would not have hesitated to betake himself to the task of employing such means; he would have had faith in the instrumentality commensurate with its apparent fitness to accomplish his recovery.

21. It is often the case, that when a man is dejected and depressed, he may be roused to a spirit of cheerfulness by the kind remonstrances of a friend, who shows him that the dark veil through which he views his circumstances is interposed by his own imagination, hiding many blessings which he has in possession, and many more which gild brightly the horizon of the future; and that he has done wrong to hang his harp upon the willows, when, if he would look fairly at his condition, he might congratulate himself in strains of gladness and of hope.

22. The ascent to greatness, however steep and dangerous, may entertain an active spirit with the consciousness and exercise of its own powers; but the possession of a throne could never yet afford a lasting satisfaction to an ambitious mind. This melancholy truth was felt and acknowledged by Severus. Fortune and merit had from a humble station elevated him to the first place among man-

kind. 'He had been all things,' as he said himself, 'and all was of little value.' Distracted with the care, not of acquiring, but of preserving, an empire, oppressed with age and infirmities, careless of fame, and satiated with power, all his prospects of life were closed. The desire of perpetuating the greatness of his family was the only remaining wish of his ambition and paternal tenderness.

23. Nature gave us curiosity to excite the industry of our minds; but she never intended it should be made the principal, much less the sole object of their application. The true and proper object of this application is a constant improvement in private and in public virtue. An application to any study that tends neither directly nor indirectly to make us better men and better citizens, is at best but a specious and ingenious sort of idleness,—to use an expression of Tillotson; and the knowledge we acquire by it is a creditable kind of ignorance, nothing more. This creditable kind of ignorance is, in my opinion, the whole benefit which the generality of men, even of the most learned, reap from the study of history; and yet the study of history seems to me of all others the most proper to train us up to private and public virtue.

24. There is now no opportunity of repentance for me, no chance of being restored to happiness, except through submission, and at that word my proud heart disdainfully revolts. Submission! how would it dim the lustre of my glory in the eyes of those angels whom I enticed from their state of allegiance by assurances very inconsistent with the temper of submission, boasting that I could subdue and dethrone the Omnipotent. But, alas! little do they imagine how dearly I pay for having made that vain boast. Little do they know the secret torments that fill my heart with agony, while I am seated on the throne of hell receiving their adorations. My crown and sceptre

elevating me above them in rank, make my height of misery so much greater than theirs.

25. That it is hard to brave a laugh,—this is not disputed. That there is a power in sarcasm which may make the condition of the Christian a condition of persecution,—this is not disputed. But when the battery of jest and contempt that is brought to bear on him makes him shrink ashamed from his profession, we cannot accept the difficulty of the encounter as an apology for his defeat. We really want terms in which to express our sense of the infatuation and the weakness of men who, quite aware that they have the right on their side, and thoroughly persuaded that reason gives an unreserved verdict in their favour, are nevertheless abashed and overcome by the ridicule of some thoughtless jester, whose intellect they probably hold cheap, and whose good opinion they consider valueless.

26. One day a swallow, observing a farmer employed in sowing hemp, called some little birds together, and informed them what the man was about, telling them that hemp was the material of which the nets so fatal to the feathered race were made, and that they might avert the evil consequences from themselves if they would unanimously join in picking it up. The birds, either disbelieving the information or neglecting the advice, gave themselves no trouble about the matter. In a little time the hemp appeared above ground. The friendly swallow, again addressing himself to them, told them it was not yet too late, provided they would immediately set about the work, before the seeds had taken too deep root. But they still disregarding the admonition, he abandoned their society, repaired for safety to the town, and there built his habitation and took up his residence. Some time afterwards, as he was skimming along the street, he happened to see a number of those very birds imprisoned in a cage, on the

shoulders of a bird-catcher. 'Unhappy wretches,' said he, 'I am sorry to see you now experiencing the punishment of your previous folly; but they who, having no foresight of their own, despise the salutary admonitions of their friends, deserve the mischiefs which their own obstinacy or negligence brings upon their heads.'

27. The city of Troy having been captured by the Greeks, the conquerors, after the first excitement of plunder had abated, began to feel pity for the misfortunes of the vanquished, and caused proclamation to be made, that every free-born citizen should be permitted to take away with him any one thing which he valued more highly than all else which had belonged to him. Upon this Æneas surrendered everything else to have possession of his household gods. This conduct, however, excited in the minds of the Greeks so high an admiration of his piety, that they gave him further leave to take away what he now valued most highly of all the things that remained. Immediately he took upon his shoulders and carried out of the burning town his aged father Anchises, who was so infirm as to be unable to escape without assistance. This evidence of filial affection raised still more highly the admiration of the victors, and they allowed him to take everything which he had possessed. They declared that it would be unnatural in them to be enemies to men who gave such proof of piety to the gods and of dutiful affection to parents.

28. By means of six equilateral triangles joined at their angles, we can exactly fill up space in one plane round a point; the same thing can be done with four squares; and in the same way also may three hexagons be arranged. But these are the only regular and similar figures which possess that property; we cannot put pentagons or heptagons together so as to inclose space in such a manner; hence in the construction of a pavement formed of regular, similar,

and equal polygons, the figure employed must be an equilateral triangle, or a square, or a hexagon. Now, in examining a bee-hive we find that the bases of the cells are hexagonal; such is the form which Providence has given bees the instinct to select,—not the triangular nor the square, although these would be equally free from interstices which would occupy useless space. And it is interesting to observe that the hexagon is the most convenient of the three figures, because when an equilateral triangle and a square each contains the same space as a hexagon, the six sides of the hexagon are together less than the four sides of the square, and less also than the three sides of the triangle; so that the hexagonal form gives the same amount of room while it requires the least quantity of wax.

29. It is very important, in fixing upon the slopes for the sides of an excavation or embankment, to approximate very nearly to the inclination at which the ground would naturally stand without slipping; for if they be made greater than necessary, a large quantity of labour and of the surface of the ground will be uselessly devoted. The proper slope for each particular soil can only be determined by observation and experience. An embankment that would stand perfectly firm, and bear the action of the weather, when formed of sand, gravel, or the débris of rocks, and other materials that do not retain water in their fissures, would not last one winter if it chiefly consisted of clay. The same remark applies with equal force to cutting, where it is made through a stratum of clay. A slope of 1 to 1, that is, a slope of  $45^\circ$ , is found sufficient for ordinary earth. For clay,  $1\frac{1}{2}$  to 1, or a slope of  $33^\circ 42'$  with the horizon, may often be required, unless it can be mixed with open materials, to prevent water collecting in the fissures produced by its shrinkage in dry weather. In other cases, so

steep a face may be left as  $\frac{3}{4}$  to 1, or even  $\frac{1}{2}$  to 1; and the slope that will be likely to stand may easily be judged of, by knowing the nature of the strata which will be cut through, and examining the state of such strata when exposed in the surrounding district.

30. The Druids were the ministers of religion among the Gauls, the ancient inhabitants of France, as well as among the Britons, the ancient inhabitants of our island. It seems probable that the Britons first learned the Druidical religion from the Gauls; but Britain afterwards became the most distinguished school for rearing Druidical priests; and those natives of Gaul who wished to become thoroughly versed in the mysteries of Druidism resorted to this island in order to complete their studies.

The British Druids appear to have possessed a considerable acquaintance with natural philosophy, and, besides being the priests and philosophers of the country, they had also the power of making and executing the laws.

Their religious opinions were pretty nearly those of the Greek philosopher Pythagoras, for they taught the existence of one supreme God, the immortality of the soul, the transmigration of souls, and a future state of rewards and punishments. Some of their ceremonies, however, were in honour of heathen gods and goddesses, and on some occasions they offered human beings in sacrifice. For temples they built large stone inclosures, open to the sky; and ruins of some of these are still to be seen, the most remarkable being Stonehenge, on Salisbury Plain, in Wiltshire.

They taught their mysterious doctrines and arts in sacred groves; and, from the peculiar veneration with which they regarded the oak, some have supposed the name Druid to be a derivative from the Greek word *drus*, which signifies an oak. It is hardly to be imagined, however, that the Druids were acquainted with the Greek language, and a

more probable origin of the name is the ancient British word *deru*, which signified also an oak.

The power which the Druids wielded over the minds of the people was so great, that the Roman general Suetonius Paulinus believed there could be very little hope of thoroughly subduing Britain while it possessed a priesthood so influential. He therefore resolved to seize upon the little island of Mona, now called Anglesea, which was the principal seat of the Druids, and, having successfully attacked it, he put to death every priest he could find.

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## CHAP. VIII.

### PRÉCIS OF LETTERS AND OFFICIAL DOCUMENTS.

1. A PRÉCIS, according to the literal meaning of that French term, is a form of composition briefly expressing the *precise* import of a portion of discourse. It is a Digest, Epitome, or Abstract of information pertaining to any subject, as a Précis of Geography or History, of a Narrative, a Discussion, &c.

Most frequently, amongst ourselves, the name Précis is applied to an abstract of a letter, or series of letters, or any document relating to official business; the purpose of such abstract being to exhibit briefly and distinctly the substance, the mainly important part, of the correspondence or document, so as to economise time in the perusal, and enable the mind of the reader more easily and securely to seize and retain those points which form the gist of the subject.

2. The length of a Précis is regulated by what should be deemed important, or a necessary constituent, in the original. Now, very often, in order that a person may understand thoroughly what portions of an official paper



are important, he must professionally belong to a department of business which the paper immediately concerns; for importance is a relative thing, and what is important in reference to one particular interest or class of interests, may be of little or no importance as regards another. Nevertheless, a student of this species of composition is expected to exercise his own discretion in assuming what is to be deemed important in any paper of which he is required to write a Précis; and generally when the correspondence or document is of tolerable extent, it will of itself indicate to him what portions of it constitute the points that ought to be comprised in the abridgment. Trusting, therefore, that in the preceding portions of the present work he will have found a useful means of cultivating the general power of abridging discourse, we proceed to exemplify and illustrate the formal peculiarity belonging to the species of abridgment now under consideration.

3. We will begin with precisising a single letter, extracted from the Appendix to the Fourth Report of the Civil Service Commissioners.

*Sir Charles Trevelyan, K.C.B., to the Civil Service Commissioners.*

GENTLEMEN, Treasury Chambers, 21st April, 1858.

In reply to your letter of the 19th instant, requesting, in reference to the examination of candidates for a supplementary clerkship at the Treasury, an explanation of the sense in which the term 'accounts' should be understood in the list of subjects prescribed for this class of officers, I am commanded by the Lords Commissioners of Her Majesty's Treasury to acquaint you that, although quick and good handwriting is the primary consideration in the selection of persons to fill vacancies in the establishment of

supplementary clerks at the Treasury, my Lords are of opinion that it is desirable that they should have also a familiar acquaintance with arithmetic, (including vulgar and decimal fractions), and such a knowledge of book-keeping by double entry as would enable them to render useful assistance in keeping the public accounts, should their services be required in that manner.

I have, &c.

In proceeding to express briefly the contents of this letter, it would evidently be inappropriate to preserve the epistolary form, while altering the language; for this would be representing the author of the letter as having used language different from what he really did employ, and would be taking his authority for what he has not authorised. The proper method of precisising the letter must obviously be by a descriptive statement of its chief contents, which may be in the following manner :—\*

Sir C. Trevelyan

to

Civ. Serv. Commrs.

*Treasury Chambers*, 21/4/58. Giving requested explanation of the word 'accunts' in the scheme of examination for a supplementary clerkship at the Treasury; viz. that, besides the essential requisite of quick and good writing, candidates should know arithmetic, including fractions, and so much of book-keeping by double entry as to be able to assist in keeping the public accounts.

Here, as the student may readily perceive, we have concisely exhibited the purport of the letter, by describing its principal contents; and we shall now explain the plan

\* A more simple kind of abstract is often required, and will be exemplified in the next chapter. See also another method in Ch. X.

upon which we have proceeded in converting the original into a précis.

*First*, As mere inspection shows, we have placed, as a kind of marginal index, on the left side of the page, the names of the respective parties by whom and to whom the letter was written; and under their names are the place and time of date, the time being briefly expressed as the 21st day of the 4th month (viz. April) in the year 1858.

*Secondly*, We have inquired, after perusing the communication, what is its general object:—Does it transmit some enclosure? Does it make some inquiry? Does it state some opinion or decision? Does it give some explanation?

Perceiving that its object is to give an explanation, in answer to a request for such explanation, we have commenced the précis by describing the letter as giving requested explanation.

*Thirdly*, We have referred to the matter of which an explanation had been requested, viz. 'the sense in which the term *accounts* should be understood in the list of subjects prescribed for the examination of candidates for a supplementary clerkship at the Treasury.'

In endeavouring to express this concisely, we have considered that 'an explanation of the sense in which a word should be understood' is, in brief, 'an explanation of the word,' and that 'the list of subjects prescribed for the examination of candidates for a clerkship' is just 'the scheme of examination for a clerkship.'

*Fourthly*, We have examined the explanation which forms the remaining portion of the letter, and in shortening it we have not specified the authority from which it proceeds, as being obviously enough implied, viz. the Lords Commissioners of Her Majesty's Treasury; further, we have used simply the word 'candidates' instead of the

words 'persons to fill vacancies in the establishment of supplementary clerks at the Treasury,' as the class of officers has been already specified; and again, we have abridged the terms of the explanation which state that 'although quick and good handwriting is the primary consideration in selecting candidates, it is desirable that they should have also a familiar acquaintance with arithmetic,' &c. &c. An attentive comparison of these words with those substituted in the *précis* will show that we have retained all that is important.

4. It will be observed, then, that one general direction may be given in regard to the change of form which a *précis* may make upon a letter, and another in regard to the change of language. The change as respects form consists chiefly in leaving a broad margin on the left of the abstract, at the head of which margin it is stated by whom and to whom the letter is addressed. This margin is not indeed formally necessary, and may often be dispensed with; but it is an expedient which gives prominence to the index of the parties' names, and provides space for the insertion of remarks, or of references to other papers. The change as respects language consists in making a clear and orderly abstract of the letter, describing its contents as briefly as possible without omitting anything of importance, and generally commencing with some such descriptive participle as *stating, giving, transmitting, proposing, recommending, &c.*, according to the character of the communication.

The example, however, with accompanying observations, contained in the preceding section, has, we trust, answered, better than any general directions could have done, the purpose of conveying to the mind of the student an idea of the nature of an epistolary *précis*. Indeed, there is so much of an undefinable character in what constitutes propriety in any species of composition, that in our attempts to cultivate the discernment and tact requisite to form a

skilful composer, we must rely in a very great measure on the teaching power of illustrative specimens.

5: Our second example shall consist of a series of three letters.

*Mr. Frederick Roberts to Mr. Henry Lewis.*

MY DEAR SIR,

Archerville, 13th Sept., 1859.

I have been informed that one of the clerks in your establishment is about to leave you.

Will you kindly permit me to take this opportunity of recommending to you a young person, Henry Williams, as in my opinion well qualified to fill the vacant post? His father, lately dead, was a most respectable man, and a very dear friend of mine; and the widow is left with very slender means, and with four children, three of them very young, the eldest being the youth I now recommend to you. He is a good accountant, has some knowledge of commercial letter-writing, and is of good temper and character.

If you have not already provided for the supply of the vacant appointment, your kind attention to my recommendation will oblige, &c.

*Mr. Henry Lewis to Mr. Frederick Roberts.*

MY DEAR SIR,

Westfield, 14th Sept., 1859.

You have been rightly informed that a clerkship in my establishment is about to become vacant; and although five candidates have already applied for the situation, I have uniformly found so much satisfaction in following your recommendations, that I shall be glad to make trial of young Williams. Let him come to me on Monday next, at 10 o'clock, A.M., and if in two or three days I find him suitable, I will then arrange about his salary, &c.

I remain, &c.

*Henry Williams to Mrs. Williams.*

MY DEAR MOTHER,

Westfield, 23rd Sept., 1859.

I delayed writing to you until I could give you distinct information of my appointment.

For the last few days my principal work has been copying letters. I was at first very fearful that I might not give satisfaction to Mr. Lewis; but he spoke so favourably of what I had done, that I was greatly encouraged. He sent for me this morning, and after giving me some kind advice, said that my salary for the first year should be 40*l.* in addition to board and lodging.

I am very grateful, therefore, to Mr. Roberts, through whom I have obtained this appointment, and also to the Divine Providence for enabling me to do something towards your support.

Give my kind love to my brother and sisters, and believe me, &c.

Of the above three letters a *précis* may be written in the following manner:— (*See another method in Ch. X.*)

Mr. Roberts

to

Mr. Lewis.

*Archerville, 13/9/59.* Recommending for a vacant clerkship Henry Williams, as good accountant, with some knowledge of commercial letter-writing, and of good temper and character.

Mr. Lewis

to

Mr. Roberts.

*Westfield, 14/9/59.* Stating that he will receive Williams on Monday next, appoint him if approved, and speedily arrange about salary.

Henry Williams  
to  
Mrs. Williams.

*Westfield, 23/9/59.* Informing his mother that he has been approved by Mr. Lewis, and appointed clerk at 40*l.* for first year, with board, &c.

In this abstract it will appear that we have treated the letters in a business way, omitting all reference to expressions of courtesy, friendship, or affection; for it is the province of the précis to recognise such expressions only when they form an essential feature in the subject-matter of correspondence, and not when they are merely incidental, as in the present instance.

Mr. Roberts assigns three reasons for his application to Mr. Lewis on behalf of Williams; first, he has heard of the vacant clerkship; secondly, the father of the youth, an esteemed personal friend, being dead, the widow and children are poorly provided for; thirdly, the youth recommended has good qualifications.

Now, although it might have been improper on the part of Mr. Roberts to make the application at once, without stating that he had been informed of the vacancy, and without referring to the peradventure that Mr. Lewis may have been already suited, there is manifestly no impropriety in the précis describing the letter simply as recommending Henry Williams for a vacant clerkship. Again; the considerations of friendship and sympathy as motives to the recommendation may be omitted, as the fact of recommending sufficiently implies that the writer feels interested in the case; the only circumstance of recommendation which the précis should specify is evidently the youth's fitness for the situation.

Next, as to Mr. Lewis's reply, we need not express his acknowledgment of the correctness of the information, for the sequel of the letter is virtually such an acknowledgment; nor need we refer to the circumstance of there having been already five applicants for the clerkship, unless it were considered important thus to indicate Mr. Lewis's esteem or preference for Mr. Roberts's recommendation, and this we do not think important in a summary record of the present transaction. The points for a précis of the second letter are, therefore, simply these,—Williams is to be received on probation on the following Monday, and will be appointed to the situation and informed respecting salary, if he is found suitable.

Lastly, as regards Williams's letter to his mother, we have omitted what may be called the small talk, and also the sentimental portion, our object being merely to derive from it the additions which it makes to the narrative of the preceding letters, viz. that Williams has been approved and appointed, and is to receive 40*l.* for the first year, with board, &c.

6. For our third example, we quote the following letters from the Appendix to the Second Report of the Civil Service Commissioners.

*Mr. Waddington to the Civil Service Commissioners.*

GENTLEMEN,

Whitehall, 28th April, 1856.

I am directed by Secretary Sir George Grey to inform you that although no vacancy has occurred in the Home Office since the date of your circular referring to the Order in Council of the 21st May, 1855, he thinks it desirable that the subjects in which candidates for



clerkships are to be examined should be settled at once.

It appears to Sir George Grey that candidates should be between 18 and 25 years of age, and should possess good bodily health; that they should show decided proficiency in good writing, correct spelling, and grammatical English prose composition, and should give evidence of a fair and respectable knowledge of arithmetic, geography, English history, and the Latin and French languages. As regards Greek, and other modern languages besides French, mathematics, English and international law and political economy, the candidates should be allowed to be examined upon those subjects, if they wish to receive an honorary certificate.

In the event of any candidate for a clerkship in the Home Office appearing before you, Sir George Grey requests that his examination may be conducted in conformity with the foregoing suggestions.

Sir George Grey is of opinion, that an examination, before a clerk is promoted from the third to the second class, with a view to test his ability to prepare a précis or abstract of papers on any given subject, and the knowledge he has acquired of the course of business in the office, is fully as important as an examination previous to his first appointment; but he thinks that this examination may be best conducted in the office itself, where the qualifications of a clerk for promotion are well known, and can be efficiently tested.

He has, therefore, directed that before any such promotion takes place, the candidate for it shall be strictly examined as to the knowledge and habits of business he has gained while acting in the third class, and as to the general efficiency he has acquired since his first appointment.

I have, &c.

*Mr. Maitland to Mr. Waddington.*

SIR,

Civil Service Commission, 30th April, 1856.

I am directed by the Civil Service Commissioners to acknowledge the receipt of your letter of the 28th inst., relative to the examination of candidates nominated to junior situations in the office of the Secretary of State for the Home Department.

And in reply I am to acquaint you, that the Commissioners will regulate, in accordance with the wishes of Secretary Sir George Grey, such examinations for the situations in question as it may be their duty to conduct.

In the memorandum which I have the honour to enclose, the subjects of examination are recapitulated, and if the purport of your letter has not been misapprehended, the scheme may be regarded as finally settled.

With regard to the examination of candidates in subjects selected by themselves, the Commissioners will pay due regard to the suggestions with which they are favoured.

They have from the commencement of their proceedings endeavoured to encourage the practice, and they are glad to find that Sir George Grey approves the course which they have pursued.

I have, &c.

[Enclosure.]

HOME DEPARTMENT.

*Scheme of Examination.*

1. Exercises designed to test handwriting and orthography.
2. Arithmetic, including vulgar and decimal fractions.
3. Geography.

4. English history.
5. English composition.
6. Latin.
7. French.

*Mr. Waddington to the Civil Service Commissioners.*

GENTLEMEN,

Whitehall, 1st May, 1856.

I have laid before Secretary Sir George Grey Mr. Maitland's letter of the 30th ultimo, enclosing a scheme of examination for candidates for clerkships in the office of Her Majesty's Principal Secretary of State for the Home Department, and I am to inform you that the scheme is in accordance with Sir George Grey's views.

I am, &c.

*Mr. Maitland to Mr. Waddington.*

SIR,

Civil Service Commission, 7th August, 1856.

In reply to your letter of yesterday's date, relative to the examination of three candidates who have been nominated to compete for a clerkship at present vacant in the Home Office, I am directed by the Civil Service Commissioners to acquaint you, for the information of Secretary Sir George Grey, that the Commissioners will be prepared to commence the examination of the candidates on Tuesday the 19th instant.

With regard to that portion of your letter which states that Mr. — (one of the candidates) is above the prescribed age, but that an exception to the established rule should be made in his case, as he will be transferred (if successful) from one department of the Civil Service to another, I am to observe, that the Commissioners are not only willing but desirous to facilitate, by an extension of

the prescribed limits of age, the transfer of public servants from one department to another. At the same time they would suggest, that the exception should be so stated as to apply to other cases which may hereafter arise; and they further submit for the consideration of Sir George Grey, that it might with advantage be made a condition that the candidate should have been, at the time of entering on his previous employment, eligible in respect of age for the Home Office; and further, that it might be well to extend the limits of age not indefinitely, but, as in some other departments, by a definite addition, as for example, by substituting 30 for 25, which is the superior limit in the case of candidates who have not before been in the service.

I have, &c.

*Mr. Waddington to the Civil Service Commissioners.*

GENTLEMEN,

Whitehall, 13th August, 1856.

I have laid before Secretary Sir George Grey Mr. Maitland's letter of the 7th instant, in which he states that you will be prepared to commence on Tuesday, the 19th instant, the examination of the three candidates who have been nominated to compete for the clerkship now vacant in the Home Office.

With regard to the latter part of your letter, as to the extension of the limit of age, on the transfer of a public servant from another department, I am to acquaint you that Sir George Grey agrees to your proposal, that in any such case which may hereafter arise, in regard to this office, it should be made a condition that the candidate should have been, at the time of entering on his previous employment, eligible in respect of age for the Home Office; and further that the limit of age should be fixed at 30.

I have, &c.

*Précis of the above Correspondence.*

Mr. Waddington

to

Civ. Serv. Comrs.

*Whitehall, 28/4/56.* Stating that Sir G. Grey thinks the subjects of examination for clerkships should be settled at once; that candidates should be between the ages of 18 and 25, in good health, proficient in writing, spelling, and composition, respectable in arithmetic, geography, English history, Latin, and French; and may choose to be examined in extra subjects for an honorary certificate; that a candidate for promotion should be examined, in his own office, as to his ability in writing a précis, and his acquired knowledge of the business of his office.

Mr. Maitland

to

Mr. Waddington.

*Civ. Serv. Com. 30/4/56.* Stating that the examinations will be conducted in the manner proposed; and enclosing a scheme of examination.

[Enclosure.]

1. Exercises to test writing and spelling.
2. Arithmetic, including fractions.
3. Geography.
4. English history.
5. English composition.
6. Latin.
7. French.

Mr. Waddington

to

Civ. Serv. Comrs.

*Whitehall*, 1/5/56. Stating that the scheme is approved by Sir George Grey.

Mr. Maitland

to

Mr. Waddington.

*Civ. Serv. Com.* 7/8/56. Stating that three nominated competitors for a clerkship will be examined on 19th inst. ; that exception being desired by Sir G. Grey in favour of one of these, above the prescribed age, the Commrs. desire thus to facilitate transfers to another department, if the candidate was of eligible age when he entered on his previous employment; but suggest that no such exception should be made for candidates older than 30 years.

Mr. Waddington

to

Civ. Serv. Comrs.

*Whitehall*, 13/8/56. Stating that Sir G. Grey agrees to the condition and suggestion expressed by the Commrs.

The above précis is a very brief description of the contents of the several letters; and we recommend to the student an attentive comparison of the abstract and the original, in order that he may distinctly ascertain and appreciate the reasons for our various omissions. The method, now usually prescribed at Examinations, of giving the substance of several letters in the form of a *connected narrative* is easily derived from the above. (*See Chap. X.*)

7. Having shown a method of precisising correspondence, we shall now proceed to an example which is not of the epistolary kind, viz. a précis of part of Mr. Hill's Evidence before the Select Committee on Transportation.\*

*Evidence of Matthew Davenport Hill, Esq., Q. C.*

*Monday, 2nd June, 1856.*

(Committee's Second Report, *Questions* 1779 to 1820.)

1779. *Chairman.*] I believe you are one of Her Majesty's Counsel?—I am.

1780. You are also Recorder of Birmingham?—I am.

1781. And one of the Commissioners of Bankruptcy for the Bristol district?—Yes.

1782. How long have you held the office of Recorder of Birmingham?—Seventeen years; from the year 1839.

1783. In the course of the year, no doubt, you try a very considerable number of prisoners?—A considerable number of prisoners.

1784. Has your attention been called to that which is the subject of inquiry before this Committee, the provisions and the operation of the Act of the 16 & 17 Victoria, intituled, 'An Act to substitute in certain cases other punishment in lieu of Transportation'?—It has. It became my duty, upon the passing of that Act, to consider it very carefully; and the measure which it embodied also.

1785. Have you formed a judgment as to how far, looking to the experience we have hitherto had, the Act

\* This example, which is a very long one, is selected as having been proposed among the Examination Papers of the Civil Service Commissioners. The time allowed for the performance was four hours, of which about half an hour would be occupied in the preliminary reading.

can be said to have worked well or otherwise?—I should say that I consider it to have worked well. I may add, and I ought to add, that it has worked much better than I expected it would.

1786. You have observed its operation from the time that it became law?—I have very carefully observed it.

1787. You have heard, I daresay, the unfavourable opinions expressed with respect to the operation of the Act in certain quarters?—I have heard a great number, and a great variety of unfavourable opinions, but I have never been able to ascertain that they rested upon just grounds. At the same time, on the other hand, I have heard the results of the Act magnified beyond what I should be able to concur in. With regard to the unfavourable opinion, I consider that it is founded upon an error; that an effect is attributed to the ticket-of-leave, which is, in truth, attributable to the necessity which exists, in the absence of the power of transportation to any great extent, of discharging criminals in this country who formerly were sent abroad. The inconveniences of that discharge were felt, and the cause was erroneously attributed to their being discharged with tickets-of-leave. It is not easy to understand how a licence, revocable, though not revoked, can operate injuriously upon the public; either it has some effect or no effect. If it has any effect, I think it must be to check the disposition of the discharged criminal to go back to evil courses; knowing, as he does, that the Crown has the power, without giving any reason for what it does, by a stroke of the Minister's pen, to send him back to gaol; and though I think, if I may be allowed so to diverge, that deterrents are over-estimated in general, yet I think, that supposing the power which is given to the Crown of revoking tickets-of-leave be duly exercised, it furnishes a deterrent motive of peculiar strength, because detection is



easy, and the punishment follows immediately upon detection. I say detection is easy, because, taking the conditions of the ticket-of-leave from the words endorsed upon the back of it, it is not necessary that the convict should commit any new offence. It is stated that if he has no visible means of subsistence, if he consorts with persons of bad character, and so forth, he will be considered as about to fall again into crime, and his ticket-of-leave will be taken away.

1788. You have spoken of the conditions endorsed on the ticket-of-leave. Will you permit me to ask whether you conceive that they are capable of improvement?—I do not think they are capable of improvement, except in this, that they are now a dead letter; it would be a great improvement to give them a living force and efficacy. At present, although there is the threat, and a very just threat, held out to a convict, yet, in point of fact, we learn from Colonel Jebb that, with very few exceptions, there never has been a ticket-of-leave revoked until the convict was under charge for a new offence; and then, except in the few instances in which his new offence would bring down a punishment that would expire before the expiration of his old sentence, it is quite clear that the revocation of the ticket-of-leave is a mere form. Therefore, I cannot but consider it, as it has been acted upon hitherto, a mere form, and I cannot understand how that form can have any injurious tendency. I am very sorry that it has not been so treated as to have a very beneficial action; but the public prejudice against tickets-of-leave, as if there were something injurious in the matter, I cannot understand.

1789. Have you any observation to add with regard to the prejudice existing in the mind of the public with reference to these tickets-of-leave?—I would add this

observation, that it is possible that the feeling may arise in the public mind from a belief that if the person enjoying his licence leave had not had a ticket-of-leave, he would at that moment be in prison ; but that is not so. Reverting to the former practice, it was not the usage to keep a transport, who for any reason was not sent out of the country, in confinement for the whole term of his sentence, and he was generally liberated much about the same time as he is now liberated under a ticket-of-leave. The public, therefore, probably, or that portion of it who took the view to which I have adverted, were not aware that in all probability the same man, so far from being in prison if he had not had a ticket-of-leave, or rather if the ticket-of-leave system had not come into operation, would have been absolutely discharged, perfectly at liberty without any check.

1790. You stated, just now, that you considered that the good results of the system had been erroneously magnified; upon what ground do you make that assertion?—I think they have been erroneously magnified, because I think the statistics which have been given, that is to say, the per-centage of persons enjoying tickets-of-leave who have been subsequently reconvicted, is a piece of statistics likely to lead to very erroneous inferences. It is said that the number of reconvictions does not amount to more than 8 per cent. of the number of convicts discharged on tickets-of-leave. Now, no doubt it is quite true that 8 per cent. of the convicts discharged on tickets-of-leave have been reconvicted, but I am by no means convinced that *only* 8 per cent. have been reconvicted; and it is quite clear that before that inference can be safely drawn, it must be known that ticket-of-leave men can always be identified. But from the observations which I have made, and the inquiries which I have made, I have come to a

very strong opinion that not only are they not always identified, but that a vast number of them escape identification; and the probability is, that a very considerable number of ticket-of-leave men have been reconvicted who are not known to have been previously convicted, and who therefore stand in our tables as convicted for the first time. I will offer to the Committee, if they will permit me, some facts in proof of that conclusion. I have carefully questioned the heads of the police at Birmingham, as to whether they have any means of identifying all the ticket-of-leave men in Birmingham; they assure me that they have not, and they have given me very strong proof that they have not. In the month of November of last year, I asked them to make out a list of all the ticket-of-leave men in Birmingham, and to watch carefully their conduct for a certain time, and then to make me a Report. They did so. They thought it fair and reasonable to tell each person that his conduct would be watched; that he would not be interfered with if he were doing well, but that his conduct would be observed and noted down. At the end of six weeks they sent me a schedule, which I have before me, and by that schedule I found that there were 19 men whom they considered as ticket-of-leave men. Within the last few days I have received another Report, in which they tell me they have discovered that 5 of those men were not ticket-of-leave men. Well, but 19 men for the town of Birmingham seems to be a very small number of licencees. I observe that Colonel Jebb says that 198 ticket-of-leave men belong to Warwickshire; they have been sent to Warwickshire. I do not know how the assignment is made, but they are in his evidence assigned to Warwickshire. Birmingham has very nearly half the population of the whole county, and I have not only observed that fact, but I have ascertained the proportion of prisoners

convicted at the sessions in Birmingham on the one hand, and in all the other parts of the county on the other; and without taking the Committee through the details of the calculation, which I can do if they wish, I find that there ought to be 80 ticket-of-leave men in Birmingham, whereas only 19 could be found, and of those 5 turned out eventually to be not ticket-of-leave men. I then questioned the police upon that difference, and they tell me that they have reason to believe that there are at least 40 in Birmingham, but they cannot venture, with respect to more than those of whom they have given me the names, to state that they are ticket-of-leave men; but 40 would be only half the number, according to the basis given by Colonel Jebb. Therefore, as far as the experience of Birmingham goes, I think I am justified in saying that there is sufficient difficulty in detecting a ticket-of-leave man to make me pause before I accept the 8 per cent. as an accurate statement. I have also had the advantage of conferring with the chief superintendent of Bristol, and I find from him that there are 20 persons at Bristol who have been known as ticket-of-leave men. I do not find that they were all in Bristol at the same time, and therefore that would give as residents at any one moment at Bristol a smaller number; but I will suppose, for simplicity's sake, that they were all resident at the same time. I have made a similar calculation by a comparison of the population of Bristol and the whole population of England and Wales, and I find that there ought to be very nearly 40 ticket-of-leave men in Bristol, so that a similar result would follow.

1791. Is that calculation according to Colonel Jebb's statement?—No, not according to Colonel Jebb's proportion, which does not apply, because, Bristol being a county of itself, I cannot compare it as I can Birmingham and

Warwickshire; I therefore take the proportion thus; there are no ticket-of-leave men whose numbers come into the tables but such as have tickets-of-leave in England or Wales. Then I take the population of England and Wales. I say, if the population of England and Wales give a certain number of ticket-of-leave men, the population of Bristol ought to give a certain other number, and that other number is about 40.

1792. Mr. *B. Denison*.] Did you mean that the 80 whom you thought ought to be in Birmingham were a portion of Colonel Jebb's 198, on your own calculation? —A portion of Colonel Jebb's 198; he allocates 198 to Warwickshire; then I take the number of prisoners belonging to Birmingham, and the number of prisoners belonging to Warwickshire; and I say, if Warwickshire have 198 belonging to it, then Warwickshire having a certain number of prisoners, and Birmingham having a certain number of prisoners, I get the terms of a proportion by which I find how many there ought to be at Birmingham.

1793. Mr. *K. Seymer*.] Then you proceed on the assumption that a ticket-of-leave man remains in the place to which he is consigned on his discharge?—I proceed on the assumption that, if he is not there, some one from another part of the country comes to supply his place, and I think that this is a very fair presumption with regard to Birmingham and to Bristol, because Birmingham and Bristol form two of not more than fourteen or sixteen places in the United Kingdom of Great Britain and Ireland, which are large enough to furnish harbourage for bad characters; and the probability is, therefore, that every such town, instead of having less than its proportionate number, would have a larger proportion than that which arithmetic would give to it.

1794. Mr. *Monckton Milnes*.] Would it seem to you

probable that the police could trace out accurately the locality of these ticket-of-leave men, with the very limited amount of surveillance which is at present exercised with regard to them?—I think not; but I hardly think that it is the want of surveillance which is the great evil; I think I can explain how the difficulty really arises, and it appears to me to be thus. For the purpose of clearness I will compare our country with France. The criminal statistics of France, as the honourable member probably well knows, are very full and accurate; ours are anything but full, and, I fear, anything but accurate. In France they have had for many years a very perfect registration of births; the name of the new-born child is not only registered, but the names of his father and mother. It is, therefore, practically impossible to make any great use of *aliases* in France, and, in point of fact, I learn from Monsieur Demetz, with whom I have conversed very fully upon this subject, that there is no difficulty in identifying any person in France. If he is apprehended, they ask him who he is; if they have any doubt of the truth of his answer, they write to his place of birth, and if they find that he deceives them, they keep him in confinement, but do not put him upon his trial until they have ascertained who he really is; having ascertained who he really is, they then write to Paris, where all the criminal statistics are drawn into a focus, and they learn what the French call his antecedents; that is to say, they know how many times he has been convicted, and probably a great deal more about him than the dry facts of his previous convictions. But in England our system of registration of births has not been in operation for a sufficient time to enable us to do that, and, if it were so, we do not draw into a focus at present all the information respecting criminals all over England, so that it would not be possible by application at any one office, nor probably at any num-

ber of offices, to obtain the information which is given in France. In the absence of this power, which cannot be created all at once, for the registers must have time to grow old, and Lord Brougham's bill, to establish a system of collecting and classifying judicial statistics, must have time to be passed and worked upon, I have suggested, but the suggestion has not been adopted, this expedient. Captain Gardiner, the ingenious and excellent governor of the Bristol gaol, has possessed himself of a photographic apparatus, with which he takes the likeness of every one of his prisoners who he has reason to believe is a person really embarked in crime as a calling. Now, he says he can produce copies for sixpence each. It is believed by the police that, with the exception of London, fourteen copies would be all that would be required to send them to the great resorts of criminals, namely, to towns which are likely to be visited by old offenders who desire to hide themselves and to go where they are not known. Several would be required, no doubt, for London; say that 20 are required in all. Therefore, at an expense of 10s., not for every prisoner, but every one of a class which is well-known and can be perfectly designated by the police, you would have multiplied the portraits of all these men, and thus you would baffle their *alias*, which is now very powerful, and they would be recognised as old offenders. I may add that I know, from cases which have come before me upon the bench, sessions after sessions, that long before the ticket-of-leave system came into operation, many veterans passed as being convicted for the first time. It is a troublesome matter to obtain the evidence of previous conviction when the offender comes from a distance. You must not only have the certificate of his previous conviction, but you must have a witness who will swear to his identity; that is to say, one of the police of a distant town makes a long

journey to come to swear that the prisoner at the bar is the man to whom the certificate applies.

1795. But would that extremely dangerous class to which you allude be a class likely to receive tickets-of leave? — Yes, indeed; and, at all events, if they did not, the system would be equally useful upon an absolute discharge.

1796. *Chairman.*] Do you conceive that such a system as that which you have now indicated, may be made of great advantage in the administration of criminal justice? — I do; and I do not speak from my own opinion (which is not worth much), but from the opinions of gentlemen connected with the police, who think that it would furnish them with a very great advantage.

1797. *Mr. B. Denison.*] How would you make it evidence? — I do not propose to make it evidence, but to use it as a clue for inquiry; for instance, I have before me a portrait of a man, and the prisoner who comes answers to that portrait, and answers to any description which may be made to accompany that portrait, as to his height, and so forth.

1798. *Mr. Adderley.*] It is rather carrying out the description which is already given? — Exactly so. That enables me to write to the gaol where he comes from, and in that way I ascertain, before I go to the expense of sending for persons to identify him, that he is really the person he is suspected to be.

1799. *Chairman.*] You not only send such description as you can give in writing, but you send this photograph, and in that way you give greater assistance than would otherwise be given, upon the question whether that is the man or not?—Yes, and I give far greater assistance, I believe.

1800. Have you among your police at Birmingham intelligent and trustworthy men, through whom the inquiries which you have been mentioning might go?—Very much



so ; and allow me to add (which I am bound in justice to do), that I do not think they persecute either ticket-of-leave men or persons absolutely discharged ; they tell me that they pass them in the street, taking care not to recognise them, unless they know that they are engaged in evil courses.

1801. Lord *Naas*.] I presume that the ticket-of-leave men themselves take every means in their power to conceal their antecedents, and to prevent people from knowing them as ticket-of-leave men ?—No doubt. When they have received their gratuity, supposing them to be addicted to evil courses, if the ticket-of-leave is found upon their persons, it may be evidence against them. Of course they destroy it instantly.

1802. Do they generally, do you think, change their ground, having received the last portion of their gratuity ?—That is very difficult indeed to say. I should think that those who are afraid of being identified do so ; but it must be admitted that there is a disposition in the criminal to go back to the spot from whence he came, although that is the most dangerous place he can select. Probably it arises from his having friends there, and means of carrying on his criminal calling, which he has not so completely elsewhere. At the same time, according to my observation, since the establishment of railways, thieves have become much more locomotive than they were, rushing about from place to place with rapidity, and in that way work a great deal of mischief. I may also go on to say that railways have given very unfortunate facilities for disposing of stolen goods. A receiver of stolen goods at Aberdeen has established, in the belief of the police, an agency at Dundee. The stolen goods of Aberdeen are sent forthwith to Dundee, and are not recognised by the inhabitants ; the owner is not likely to come so far to seek them ; and no doubt the deficiency at

Aberdeen is supplied from Dundee, and thus the balance of trade is preserved.

1803. Mr. *Adderley*.] These locomotive thieves have generally head-quarters in some of the large towns which you have alluded to, have they not?—They have head-quarters in the fourteen large towns, and they make professional excursions from them, and go back to them; the less they are compelled to exercise their calling at home, the safer the calling.

1804. Mr. *Monckton Milnes*.] Have any cases come under your knowledge of ticket-of-leave men having got employment, and having been discharged upon its being discovered who they were?—No; I have neither known, nor have I heard of, any special instances.

1805. Do you think that the public opinion regarding ticket-of-leave men at the present moment is such, that a man working faithfully and honestly would be discharged on its being known that he was a ticket-of-leave man?—I cannot say how it would be at the present moment; but this I do know, that the hostility to a discharged criminal is far less than it was, and I believe it is diminishing every day; and I am perfectly certain that if the people of this country could only be assured that there was a fair reason for believing that the individual was a reformed man, a few years would make it very easy for him to obtain employment.

1806. Do you think that a belief in the possible reformation of criminals is gradually gaining ground in the public mind?—Not gradually, but rapidly.

1807. Mr. *B. Denison*.] Do you mean as to adults?—I should say more emphatically juveniles; but I believe, with regard to all prisoners, the strong prejudice against them is wearing away.

1808. Lord *Naas*.] Did the police of Birmingham tell

you what state of life these 19 men were in?—They did; and I can tell the noble lord, because I have every word of their information put down in the schedule.

1809. *Chairman.*] Have you the results of that inquiry stated in the form of a table?—I have the results of that inquiry in the form of a table, which I now hand in; and it will be seen there that 9 of the 19 are bad in their conduct; of those, 5 have, since the schedule was made, been convicted, and I believe one or two more, but I am informed with certainty as to 5. With regard to 2, their conduct is considered as doubtful, and the grounds are given in the schedule why some are considered bad and some doubtful. The 8 remaining are good; they are in an honest way of maintenance.

1810. Have you stated all the grounds which you are desirous of bringing before the Committee for the opinion which you have expressed, that the good results of the Act have been erroneously magnified?—No, I have not.

1811. What other grounds are there which you wish to present to us?—It is left to be inferred from this proportion of only 8 per cent. of convictions, that the remainder, or a very large proportion of the remainder, are doing well. Now, the table which I have just handed in shows that that would be a mistaken inference with regard to that fraction of ticket-of-leave men who reside at Birmingham, at all events; and I have similar information (not detailed) with regard to Bristol. My belief is that there is a very considerable number of ticket-of-leave men who will eventually be reconvicted, but who are now enjoying that season of impunity which all criminals do enjoy more or less, sometimes extending over many years, and that we shall have them dropping in by and by; and that view of the case is very much strengthened by the table which is found in Captain Whitty's evidence, in which it appears that the proportion

of reconvictions is gradually augmenting at the rate of, I think, 3-10ths per cent. per quarter, that is 12-10ths per cent., or 1½ per cent. per annum. This experience is in conformity with the experience in other countries. The most perfect statistics, and the most reliable that I know of, are the statistics of Mettray. The young persons who are discharged from Mettray are each put under the guidance of a patron, so called, a benevolent person who does what he can for him, watches over him, and makes frequent reports to Mettray as to his conduct. Now, taking the whole of the experience of Mettray, which commenced in 1840, and goes up to January of the present year, we find that the number of *recidivistes* is 10 per cent. ; but there is a number beyond that, of persons who are in a doubtful situation, of whom the best thing you can say, perhaps, is, that they are not being again convicted, but in regard to whom you have no very good reason to believe that they are doing well. I may say that my own experience at Birmingham also is in perfect conformity with that. Fifteen years ago I commenced a usage in which I have persevered, namely, that when young persons are convicted of whom I believe that they are not hardened, and when I also find that their relatives are respectable, and desirous to take them again, or their employers, which is still better, are desirous to take them again, I pass a nominal punishment, and send the convict away with his guardian, so to speak, the person who takes charge of him. The guardian enters his name and description in a book, and he is visited from time to time for the purpose of inquiries being made as to the conduct of the ward, as I may call him. I have a register going back now for fifteen years, and I find that it is quite necessary to divide the prisoners so disposed of into three classes, namely, those who are doing well, those who are doing ill, many of them being reconvicted (although we

do not limit our classification to those who are actually reconvicted, but extend it to those whom we know to be going on badly), and those who are doubtful, dead, or gone, or whom we cannot trace; the middle number is always large.

1812. These of which you have been speaking, I suppose, are all cases of juvenile offenders?—They are mostly cases of juvenile offenders. I have now and then ventured upon trying the same experiment with a grown up person, and with success.

1813. With regard to Mettray, which you mentioned just now, the institution is entirely for juvenile offenders, is it not?—It is. They consist of persons who at the time of their trial were under 16 years of age, and who were acquitted, because the jury said they believed they acted *sans discernement*; something like our acquittal on the ground of insanity. They are then transferred to a prison, and they are admitted to Mettray according as the conductors of Mettray may think them in a hopeful state.

1814. Do you believe it would be possible to apply such a principle as that which you have now mentioned to any considerable number of adult cases?—Does the Right Honourable Chairman mean the principle of letting them depart at once from the bar?

1815. I mean that.—It is essentially a rude expedient, but I believe it to be better than the state of things which we have had in this country, and the opinion of the police is decidedly that the persons so disposed of at Birmingham have been reformed in a greater number, than they would have been if sent to prison to serve out their sentences; I say it is essentially rude, because they must be sent back to the very spot, and placed under the very circumstances, in which they were when they fell, and therefore I only consider it, in the majority of cases, to be

a choice of the less evil rather than the greater. There is one advantage which is essential to it; they go into a real family. Now, it has been found in juvenile reformatories, that the more you can imitate a family, the greater the chance of reforming the individual, but no imitation of a family can be so good as the reality; and there is that virtue in the scheme; but otherwise it is certainly a very rude expedient; the guardian has no legal power over the individual, nor is he always trustworthy, though I take great pains to ascertain his trustworthiness; but I am sometimes deceived.

1816. So far as regards juvenile offenders, I understand you to say that the results of the system have been decidedly favourable?—The results of the system as regards juvenile offenders are favourable; the results of the system as regards adults are favourable, but the numbers are too few to justify an inference. I may state that this triple classification is made with great care at the celebrated prison of Munich, which is under the superintendence of the state councillor, Obermaier, and which has been so for many years. I applied to our minister, Sir John Milbanke, sending him a series of questions, which he was kind enough to transmit to the Bavarian Minister of the Interior, with a request that he would obtain answers to them. Those answers that minister has had the goodness to obtain in considerable detail, and I have the details before me at the present moment; I have had them translated, and I will, with permission, hand in both questions and answers. (*The witness delivered in the same.*) I may further say, that when I find the reconvictions only 8 per cent. in England, whereas with regard to Mettray, where they have young persons, where they keep them for many years, most of them until they are 20 years of age, where there is a system of *Patronage Sociétés*, by which they are protected

from being thrown upon the world when they leave Mettray, and are placed under good superintendence; when (I say) I find that even then there are 10 per cent. of *recidivistes*, I find it very difficult to believe that 8 per cent. really measures the number of those who are reconvicted in England; and supposing it accurately measured the number to-day, I should still be sceptical as to its accurately measuring the number in a few years' time, by reason of that gradual increase of proportion which Captain Whitty has pointed out in his table.

1817. Notwithstanding the uncertainty which there is in your judgment as to the true number of cases of persons going wrong again, are you nevertheless of opinion that the Act of 1853 has worked well and is working well?—I am of opinion that it has worked well and is working well; and that opinion is made up of a very considerable number of facts. I have sought information from a great variety of sources, and I depend not a little upon the strong conviction of such gentlemen as Colonel Jebb and the other practical men who have been examined before this Committee, although I do not always draw the same inferences as they appear to do from their statistics.

1818. I understand you to express an opinion that the principles of the measure are sound and good?—The principles of the measure I think sound and good; those principles appear to me to be two: first, that of enabling the convict to shorten the term of his confinement by good conduct; and secondly, the principle that his enlargement should not be absolute, but should be qualified until the conclusion of his sentence, such qualification not rendering it necessary that he should commit a new offence before he is returned to confinement, but that he shall be returned to confinement if he deceive that confidence in his reformation which is the ground-work of his licence: those are

the two principles. Then with regard to the Act itself, a question will arise, whether those principles have been successfully developed in the statute; and I must say that I think the Act susceptible of very great improvement.

1819. The Committee will be glad to have your suggestions upon that point; what is the first suggestion which you would make?—The first suggestion which I should make is this: I have read carefully the debates upon the Bill, and I find that when it was introduced into the House of Lords by Lord Chancellor Cranworth, it had not that which now forms its characteristic; it was not a ticket-of-leave Bill; it was in truth an Act for punishing, with a sort of imprisonment called penal servitude, offences which had formerly been punishable by transportation. There was no intention at that moment to embody the principle of encouraging the convict to work himself out of prison; but it being felt, I suppose, that imprisonment was, month for month, and year for year, a much more severe punishment than transportation, when the power of transporting convicts failed, it was thought right to diminish the terms of transportation, and to give terms of imprisonment which should be about equal in point of severity of punishment. Consequently it is found that all the terms of transportation, with the exception of transportation for life, are shortened by equivalent terms of imprisonment which are detailed in the 4th section. It is obvious that if a prisoner is to serve his whole term, whether of transportation or of penal servitude, justice demands that the penal servitude shall be made a shorter term than the transportation; you have had abundance of evidence to show that transportation is a much less severe punishment, for an equal portion of time, than penal servitude. But, upon the second reading, it was suggested by Earl Grey,



that it would be desirable, if we could not send our prisoners to the colonies, at least to avail ourselves of the expedient of tickets-of-leave; and he mentioned that the experiment had been tried at Barbadoes, a very small island, where they had discharged prisoners within the island upon tickets-of-leave, and he reported the experiment to have answered. The suggestion would appear, by a speech of the Duke of Newcastle, or the Duke of Argyle, I forget which, to have been under the contemplation of Government before it was mentioned by Earl Grey; and when the Bill went into Committee, the Lord Chancellor brought it forward as a new measure, with its present characteristic of tickets-of-leave; but, as I must think, unfortunately, when the measure assumed its new character, and when, therefore, the reason for shortening the terms of transportation into terms of penal servitude had fallen to the ground, this 4th section was still retained. I quite concur with the noble earl (Grey) in thinking that all reason for shortening terms of transportation, in turning them into terms of penal servitude, is now gone.

1820. That is, for making the term of penal servitude less than the corresponding term of transportation?—Exactly. That is the first suggestion which I should make. I should strike out the 4th section.

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\*.\* A very condensed abstract of the preceding Minutes will be found in the following Précis, although for some purposes a still shorter Digest would be requisite. See Exercise 17, p. 107, and the Key to this Treatise, p. 30.

*Précis of Minutes of part of Mr. Hill's Evidence,  
taken before the Select Committee on Transportation,*

*Monday, 2nd June, 1856.*

Matthew Davenport Hill, Esq., Q.C., examined respecting the provisions and operation of 'An Act to substitute, in certain cases, other Punishment in lieu of Transportation,'—

States —

*In answer to*

*Quest. 1779*

*to 1791.*

That he has been seventeen years Recorder of Birmingham, and tries many prisoners; that he has all along considered the Act to work well.

That the objections to the Act have arisen through erroneously attributing to the ticket-of-leave an effect due to the necessity of discharging criminals in England, the power of transportation being now so limited; that the licence must be deterrent, if its conditions were acted upon, because they forewarn that it will be revoked, if the holder is seen to have bad associates, or no honest means of subsistence; but that he regrets these conditions have become a dead letter, through the practice of not revoking the licence unless a new offence has been committed.

That he thinks, however, the good results of the Act have been erroneously magnified, through accepting as accurate the statistics which specify the reconvictions of ticket-of-leave men as only 8 per cent.; for that many reconvictions have been mistaken for first convictions, through the difficulty of detecting ticket-of-leave men. That the heads of police at Birmingham, though they supposed there must be at least 40 ticket-of-leave men there, could give him only 19 names, and of these they afterwards told him to strike out 5 as mistaken; but he calculated that out of

198 such persons, stated by Col. Jebb as belonging to Warwickshire, Birmingham ought to contain 80; and by similar calculation he found that Bristol should contain 40, whereas the superintendent there gave the number as 20; that hence he regards the statistical 8 per cent. as very unlikely to be accurate.

That in regard to Birmingham and Bristol  
*In answer to* he thinks it fair to assume a ticket-of-leave  
*Quest. 1793.* man as remaining where consigned on discharge, or else as replaced by one from elsewhere; for these towns are two of not more than sixteen places in the whole kingdom large enough to harbour bad characters.

That he does not think the police could  
*In answer to* trace out the locality of these men, with the  
*Quest. 1794.* present limited surveillance; but that the imperfection of our criminal statistics, rather than the want of surveillance, is the great evil. That in France an *alias* is made difficult, and the identification of a person easy, by including in the registration of births the names of both parents; that in Paris, where criminal statistics are all drawn into a focus, the antecedents of a prisoner, including the number of times he has been convicted, are easily learned. That, in the absence of such power amongst ourselves, he had made a suggestion which, though it was not adopted, he thought might be made of service, until our registers are old enough, and until Lord Brougham's Bill for collecting and classifying judicial statistics is passed and worked upon, viz. to employ the expedient used by Capt. Gardiner, governor of Bristol gaol, who takes a photographic likeness of every prisoner whom he supposes to be embarked in crime as a calling; for, at a cost of 10s. for every such prisoner, a sufficient number of portraits of him might be had, to ensure some degree of certainty before

sending for a policeman from a distant town to swear that the prisoner is the man to whom a certificate of previous conviction applies.

*In answer to*            That he believes this plan would be of  
*Quest. 1796*           great service in the administration of criminal justice; he would use the photograph,  
                              to 1799.           not as evidence, but as a clue for inquiry; he would send it, along with any written description he could give, to the gaol where the prisoner comes from, and thus ascertain, before going to the expense of bringing persons to identify him, that he is really the person he is suspected to be.

*In answer to*            That, no doubt, ticket-of-leave men carefully avoid recognition, and when those  
*Quest. 1801*           addicted to evil courses have received their  
                              to 1803.           gratuity, they destroy their licence, lest it should be found on them and be evidence against them. That, when afraid of being identified, they probably change their ground after having received the last portion of their gratuity; but they generally prefer the place they came from, perhaps because, though it is the least safe, they have friends there and better means of criminal gain. That the railway system, however, has made thieves much more locomotive, and facilitated the disposal of stolen goods; these thieves having their head-quarters in some of the large towns, from which they make professional excursions, as it is less safe to exercise their calling at home.

*In answer to*            That he has never heard of any one losing  
*Quest. 1804*           employment through being discovered to be  
                              to 1807.           a ticket-of-leave man; the reluctance to employ such men is far less than it was, and, as he believes, daily diminishing; and he feels certain

if our people only see fair reason for believing a man to be reformed, that man will in a few years find it easy to get employment. That every day increases the general persuasion of the possible reformation of criminals, especially juveniles; and that the prejudice with regard to all prisoners is wearing away.

*In answer to*                      That the police of Birmingham reported  
*Quest. 1808*                    the habit of life of those 19 men, and he would  
                   *to 1815.*                    now hand in their information in a tabular  
                                          form, showing 9 to be ill-conducted, of whom  
                                          5 have since been convicted; 2 of the ten to  
 be considered doubtful, for reasons set down; and the  
 remaining 8 to be doing well. That this table, and  
 similar information he has regarding Bristol, may show  
 how erroneously people are left to infer, from the statistical  
 8 per cent. of reconvictions, that the others, or most of them,  
 are doing well. That he believes there are many ticket-  
 of-leave men who will by and by be reconvicted, and that  
 this view is supported by Captain Whitty's table, which he  
 thinks, shows the reconvictions to be increasing at the rate  
 of  $1\frac{1}{2}$  per cent. per annum.

That the most perfect statistics known to him are those  
 of Mettray; that every youth discharged from Mettray is  
 put under the care of a patron, who makes frequent reports  
 of him to the Institution; yet, taking the whole experience  
 of Mettray, about fifteen years, we find 10 per cent. of *recidi-  
 vistes*\*, with a further number of doubtful cases. That his  
 own experience at Birmingham has been similar; that, for  
 the last fifteen years, in the case of the conviction of a young  
 person, apparently not hardened, and having any respect-  
 able relative, or, which is better, an employer, desirous to  
 take him again, his practice has been to pass a nominal

\* Persons who have fallen again, or relapsed into crime.

punishment, and deliver him to such guardian, who is thereafter frequently visited and interrogated respecting his ward; that he has divided such convicts into three classes, those doing well, those doing ill (whether reconvicted or not), and those doubtful, dead, or gone; and that the middle number is always large. That he has sometimes and successfully tried the same experiment with adults; and though in their case it is a rude expedient, the police think that more of the persons so disposed of at Birmingham have been reformed, than would have been if sent to prison to serve out their sentences; that in most cases, however, it is only a choice of the less of two evils, as they must be placed again in the very spot and under the very circumstances in which they fell; that the plan has the advantage of placing them in a real family, and to imitate a family as nearly as possible is found salutary in juvenile reformatories; but still it is a very rude expedient, the guardian having no legal control, and not always proving trustworthy.

That he thinks the results of the system

|                     |                                                |
|---------------------|------------------------------------------------|
| <i>In answer to</i> | favourable, not only as regards juveniles,     |
| <i>Quest. 1816</i>  | but as regards adults too, only the number     |
| <i>to 1818.</i>     | of these is too small to justify an inference. |

That when he finds, however, there are 10 per cent. of *recidivistes* even at Mettray, where the offenders are so young, and are kept for the most part till the age of 20, where there is a *Société de Patronage* whose members carefully superintend those who leave Mettray, he cannot think that our 8 per cent. is accurate, or that at all events it will be found so in a few years, by reason of the rate of increase pointed out by Capt. Whitty.

That notwithstanding his uncertainty as to the true number of relapsed criminals, his opinion, founded on numerous facts and extensive information, is that the Act

of 1853 has worked well and is working well; that he thinks the principles of the measure sound and good, viz. the principle of enabling the convict to shorten his term of sentence by good conduct, and the principle of qualifying his discharge by the condition that, though he commit no new offence, he will be reimprisoned, if he does not maintain the appearance of being reformed; that the Act, however, seems susceptible of great improvement as regards its development of these two principles.

*In answer to*      That the bill when introduced into the  
*Quest. 1819*      House of Lords by Lord Chancellor Cran-  
*to 1820.*      worth was not a ticket-of-leave bill; its  
                  object was to substitute for transportation,  
                  when the power of transporting convicts failed,  
 a sort of imprisonment called penal servitude; that there was then no intention of encouraging the convict to work himself out of prison; but the new punishment being deemed severer in kind than the old, it was thought that the terms of imprisonment should be shorter than those of transportation; and accordingly we find these shorter terms detailed in the 4th section. But that, upon the second reading, Earl Grey suggested the ticket-of-leave expedient, as having been tried with success at Barbadoes; and when the Bill went into Committee, the Lord Chancellor brought it forward as a new measure, as a ticket-of-leave Bill, retaining, however, the 4th section, though the reason for shorter terms had disappeared. That he quite concurs with Earl Grey in thinking that all reason for making the term of penal servitude less than the corresponding term of transportation is now gone; and, therefore, his first suggestion is, that the 4th section should be struck out.

\*.\* The student, before attempting to precise any of the following letters or papers, should, by a careful perusal, acquaint himself with their general scope and prominent features.

## EXERCISES [G].

1. Write a précis of the following letter :—(See 5th Report of Civil Service Commissioners.)

*J. R. Godley, Esq., to Colonel Brownrigg.*

SIR,

War Office, 10th Sept. 1859.

With reference to your letter of the 22nd August, submitting the alterations in the establishment of your office, consequent on the retirement of Mr. [A], for the approval of the Secretary of State for War, I have the honour to acquaint you, that Mr. Sidney Herbert approves of the appointments you have made, on the understanding that Mr. [B] has passed the necessary examination before the Civil Service Commissioners for a permanent clerkship, and that Mr. [C] has passed that for a temporary clerkship; and I am to request that the Commissioners' certificates may be forwarded in support of the charge for their pay in the current quarter's pay list.

I am to add, that Mr. Secretary Herbert regrets the delay that has occurred in replying to your letter.

I have, &c.

2. Write a précis of the two following letters :—(See 5th Report of Civ. Serv. Comrs.)

*Colonel Brownrigg to J. G. Maitland, Esq.*

SIR,

Adjutant-General's Office, Royal Hospital,  
Dublin, 9th August, 1859.

The situation of temporary clerk in my office having become vacant on the 1st inst., I am anxious to appoint thereto Mr. [C], whose examination takes place this day.

As this young man, however, is not within the limits of



age prescribed by the Civil Service Commissioners, inasmuch as he does not complete his 17th year until next month, I beg most strongly to recommend that the Civil Service Commissioners will be pleased to relax the rule in this particular instance, for the following reasons:—

Mr. [C]'s father died two years ago, leaving a widow and a large family in very distressed circumstances. The young man himself was intended for the Royal Navy, and was about to join his ship, when he met with an accident which fractured his arm, and the limb was so badly treated at the time, that his left elbow joint has become partially stiff, and he is thus completely incapacitated for entering either the Navy or Army.

I know him to be of excellent moral character, and a gentleman by birth and education, and he will, I am convinced, make a good public servant.

I am personally much interested in this young man, and should be glad that he might commence his career under my own observation and indeed were he able to afford it I would appoint him as clerk in my office without pay, until he had attained the age of 18; but I am not authorised to draw the pay sanctioned by the Secretary of State for War, for a temporary clerk, without the production of the certificate, from your department, that he has passed the prescribed examination, a report of which you will doubtless receive very shortly.

I enclose the necessary certificates regarding Mr. [B].

I have, &c.

*Mr. Maitland to Colonel Brownrigg.*

SIR,

16th August, 1859.

In reply to your letter of the 9th inst., relative to the age of Mr. [C], I am directed by the Civil Service Com-

missioners to state, that the limits of age for appointments in the Military Office in Dublin were fixed by a communication addressed to them, in December 1855, by General Lord Seaton, at the desire of Lord Panmure, the Secretary of State for War, and that the age of 18 having been expressly mentioned in that communication as the lowest at which candidates should be considered eligible for temporary clerkships, the Commissioners do not feel that they have authority to dispense with the regulation. This being the case, you will not, they hope, think that they have failed to give due attention to the circumstances which you have brought under their notice.

In explanation of the delay which has occurred, I am to add that a doubt arose as to the precise meaning of a phrase used in your letter with reference to the candidate's age, and that, there being also an apparent ambiguity in the baptismal certificate, the officiating minister of the church in which the baptism took place has been referred to.

I am, &c.

3. Write a précis of the following correspondence :—  
(See 5th Report of Civ. Serv. Comrs.)

*F. G. Gardner, Esq., to Mr. Maitland.*

SIR,

Custom House, 23rd August, 1859.

With reference to your letter of the 18th instant, transmitting a certificate of qualification for Mr. David Berwick, who had been nominated to the office of Tidewater, at St. David's, in the Port of Borrowstones,

I am directed to acquaint you, for the information of the Civil Service Commissioners, that the Lords of the Treasury have been pleased to direct that the title of the office to be held by Mr. Berwick be changed to that of "Principal Coast Officer," and I am therefore to signify the request

this Board to be informed whether, with reference to the proficiency exhibited by Mr. Berwick, as stated in the certificate of qualification, the Commissioners deem further examination necessary in his case.

I am, &c.

*Mr. Maitland to Mr. Gardner.*

SIR,

Civil Service Commission, 27th August, 1859.

In reply to your letter of the 23rd instant, stating, with reference to Mr. David Berwick, who was nominated to the situation of Tidewaiter at St. David's, in the Port of Borrowstoness, and for whom a certificate of qualification was sent on the 18th instant, that the title of the office to be held by Mr. Berwick is to be changed to that of "Principal Coast Officer," and requesting to be informed whether further examination is necessary,

I am directed by the Civil Service Commissioners to state, that although the candidate acquitted himself remarkably well in the subjects in which he was examined, he was examined only in those prescribed for persons nominated as Tidewaiters, and not on the higher scale applicable in the case of those who are nominated as coast officers under Mr. Maclean's letter of 12th April 1856, as modified by correspondence which passed in January 1858.

Under these circumstances the Commissioners cannot grant their certificate for the new situation on the papers at present before them, but they would suggest, that if the situation of a Principal Coast Officer is generally, as it appears to be in the present instance, different in title only from that of a Tidewaiter, it may be inexpedient that the subjects of examination should continue to be, as they now are, very considerably higher in the one case than in the other.

I have, &c.

*Mr. Gardner to Mr. Maitland.*

SIR,

Custom House, 31st August, 1859.

With reference to your letter of the 27th instant, on the case of Mr. David Berwick, who, subsequently to his nomination as Tidewaiter, has been nominated to the office of Principal Coast Officer at St. David's, in the Port of Borrowstoness,

I am directed to signify the request of the Board to be furnished with the necessary papers for the examination of Mr. Berwick at Borrowstoness, according to the existing regulations, and at the same time to acquaint you that the Board will consider the question raised in the latter part of your letter, as to the expediency of reducing the scale of subjects of examination for Principal Coast Officers, and will communicate further with you on the subject.

I am, &c.

*Mr. Gardner to Mr. Maitland.*

SIR,

Custom House, 3rd September, 1859.

With reference to my letter of the 31st ultimo, stating, in the case of Mr. D. Berwick, who had been nominated to the office of Principal Coast Officer subsequently to his appointment as Tidewaiter, that the Board would communicate further with the Civil Service Commissioners with respect to the question raised in your letter of the 27th ultimo, as to the expediency of reducing the scale of subjects of examination for Principal Coast Officers, I am now directed to acquaint you, for the information of the Civil Service Commissioners, that when the title of the office to which Mr. Berwick was nominated was altered to that of Principal Coast Officer, his duties became of a more independent and responsible character, and it was only on the ground that in their certificate, dated the 18th August

last, the Civil Service Commissioners stated that Mr. Berwick displayed marked proficiency in the prescribed subjects of examination (in which he had been examined as Tidewaiter) that the Board of Customs requested the opinion of the Civil Service Commissioners whether further examination was necessary : but the Board are not prepared to recommend any further alterations in the subjects of examination for the office of Principal Coast Officer.

I have, &c.

4. Write a précis of the following communications from the Viscount Courtenay and others. (*See 1st Report of Civ. Serv. Comrs.*)

Glossop Union, 26th February, 1853.

MY LORDS AND GENTLEMEN,

In consequence of there being no schoolmaster at the union workhouse, the board of guardians contemplate sending what few children there are in the workhouse to the Swinton school connected with the Manchester union ; application has been made for that purpose, and it appears they can be received into that establishment, clothed, maintained, instructed, and provided with medical attendance, at a charge of 8s. 3d. per week, provided the consent of the Poor Law Board be obtained thereto. I have, therefore, been requested to obtain the consent of your honourable Board to the proposition of the guardians to send the children to the said school.

I am, &c.,

(Signed) GEORGE BOWDEN,

Clerk to the Guardians.

The Poor Law Board, &c.

Poor Law Board, Whitehall,  
12th March, 1853.

SIR,

I am directed by the Poor Law Board to acknowledge the receipt of your letter of the 26th ultimo, in which you apply for their consent to the Guardians of the Glossop union sending the children from the workhouse to the Swinton school.

The Board consent to the proposal of the guardians being carried into effect; but, before they finally sanction the arrangement, they request that the draft of the contract which the Glossop guardians may propose to enter into with the Manchester guardians, for the education and maintenance of the children in the school, may be submitted for their inspection.

I am, &c.,  
(Signed) COURTENAY,  
Secretary.

G. Bowden, Esq.,  
Clerk to the Guardians.

Glossop Union, 15th March, 1853.

MY LORDS AND GENTLEMEN,

In compliance with the request contained in your letter of the 12th instant, I beg to forward for your inspection the draft of the contract which the guardians of this union propose to enter into with the Manchester guardians for the education and maintenance of the children from the workhouse here in the Swinton school.

I am, &c.,  
(Signed) GEORGE BOWDEN,  
Clerk to the Guardians.

The Poor Law Board, &c.

Poor Law Board, Whitehall,  
12th May, 1853.

SIR,

I am directed by the Poor Law Board to return to you the draft of the contract proposed to be entered into by the guardians of the Glossop union with the guardians of the township of Manchester for the admission of pauper children belonging to the Glossop union into the Swinton schools.

The Poor Law Board approve of the terms upon which the children are to be received into the schools in question, and they accordingly recommend that the proposed contract be executed by the contracting parties.

I am, &c.,  
(Signed) COURTENAY,  
Secretary,

G. Bowden, Esq.,  
Clerk to the Guardians.

Poor Law Board, Whitehall,  
22nd September, 1854.

SIR,

I am directed by the Poor Law Board to state that they learn from a report made to them by their inspector, Mr. Doyle, after having visited the workhouse of the Glossop union on the 2nd instant, that an entry had been made in the visitors' book by one of Her Majesty's inspectors of schools, on the subject of the arrangement entered into between the guardians and the guardians of Manchester, for the maintenance and education of the pauper children of the Glossop union in the school at Swinton.

I am directed to request that you will furnish the Board with a copy of the entry referred to.

I am, &c.,  
(Signed) H. FLEMING,  
Assistant Secretary.

G. Bowden, Esq.,  
Clerk to the Guardians.

Glossop Union, 26th September, 1854.

MY LORDS and GENTLEMEN,

In compliance with the request contained in your letter of the 22nd instant, I beg to forward you herewith copies of two entries made in the visitors' book by Mr. Browne, one of Her Majesty's inspectors of schools, on the subject of the arrangement entered into between the guardians of this union and the guardians of Manchester, for the maintenance and education of the pauper children at Swinton.

I am, &c,

(Signed) GEORGE BOWDEN,

Clerk to the Guardians.

The Poor Law Board, &c.

"I have examined the children here, and find them in a very low state; they appear to have been greatly neglected. I understand that it is proposed to send the pauper children in this house to Swinton; there can be no objection to this as a temporary arrangement, but Swinton is not really too large for the pauper children of Manchester alone, and there can be no doubt that there ought to be a school in this union for the Glossop children. The effect of sending the children out of the union to Swinton will be this, that many children whose stay is uncertain, but who often do remain in the workhouse a considerable time, will not be sent to Swinton, and consequently remain uneducated. The pauperism of every union must bear a certain proportion to its population, and taking into consideration the population of Glossop, it is evident that there must be a sufficient number of out-door pauper children in this neighbourhood to form with the present inmates a school in the workhouse quite large enough to occupy fully the time of one teacher at least. Out-door pauper children are now



instructed in the workhouse at Manchester and in several other unions. As the salary of a teacher in Glossop workhouse would be paid from the parliamentary grant, it is probable that the guardians would be able to educate forty or fifty children here, for an annual outlay less than what it would cost to educate ten or twelve children at Swinton.

(Signed) T. B. BROWNE,  
Inspector of Schools."

11th April, 1853.

"The children here are under the charge of a pauper, and in a state of extreme ignorance. None could read. The Lord's Prayer was repeated, but not understood. I have to recommend that a school be organised in the workhouse for the pauper children of this union. The result of the present arrangement under which the elder children are sent to Swinton is, that all children of an age to receive instruction are not properly instructed, as I anticipated. The duties of the guardians in respect of education are not discharged by educating some children and neglecting the rest.

(Signed) T. B. BROWNE,  
Inspector of Schools.

27th March, 1854.

P.S.—It would be found, I think, more economical to educate the children in the workhouse, when suitable accommodation was once provided, than to pay for ten at Swinton, as the teacher's salary would be paid from the parliamentary grant."

5. Write a précis of the following correspondence:—(See 2nd Report of Civ. Serv. Comrs.)

SIR,  
Railway Department, Board of Trade,  
Whitehall, 27th August, 1852.

I am directed by the Lords of the Committee of Privy Council for Trade to forward to you the enclosed copy of a

letter that they have received from Mr. F. M. Beddoes, of Cheney Longville, complaining of the omission of the Shrewsbury and Hereford Railway Company to provide the proper description of gates, and a gatekeeper in attendance to open and shut the gates, at the place where the railway crosses on the level the Watling Street Road, in the township of Longville, in the parish of Wistanstow.

According to this statement it appears that the Company have failed to comply with the provisions of the 47th section of the Railway Clauses Consolidation Act; I am, therefore, to request that you will lay this letter before the Directors for any observations they may have to offer thereon.

I am, &c.,

DOUGLAS GALTON,  
Capt. Royal Engineers.

The Secretary of the Shrewsbury  
and Hereford Railway Company.

SIR,

Cheney Longville, Wistanstow,  
Salop, 25th August, 1852.

On the 9th of August I addressed the following letter to Walter Roberts, Esq., Secretary to the Shrewsbury and Hereford Railway :—

" SIR,

Cheney Longville, 9th August, 1852.

" The inhabitants of this neighbourhood have experienced much inconvenience, as well as felt some degree of danger, owing to your Company not having erected the proper description of gates at the place where the railway crosses the Watling Street Road in the township of Longville in the parish of Wistanstow, and they have to complain that no person is in attendance to open and close the gates.

" They were willing to submit to some inconvenience for a short time; but considering it has now existed for more than three months, and no steps taken by the Company to

alter it, the inhabitants have come to the determination to lay the case before the Board of Trade, and will proceed to do so after fourteen days from the date of this communication, and of which you will take this as a sufficient notice thereof; but they trust you will remedy the inconvenience complained of without loss of time, and thereby render the appeal to the Board of Trade unnecessary.

"I am, &c.,

"F. M. BEDDOES.

To Walter Roberts, Esq., Secretary  
of the Shrewsbury and Hereford  
Railway, Shrewsbury."

I have received no answer, and up to six o'clock last night nothing had been done to alter the gates. The gates now there are the same as are put on a level crossing for the private accommodation of proprietors, and not such as ought to be on a public highway; and are not of such dimensions and not so constructed as, when closed, to fence in the railway, and do not prevent horses and cattle passing along the road from entering on the railway.

I have, therefore, to request that you will have the goodness to lay the case before the Lords of the Committee of Privy Council for Trade, who I trust will interfere in the matter.

I believe persons using the road often leave the gates open, there being no one to see them properly closed. The road is a very old road and is much frequented.

I am, &c.,

F. M. BEDDOES.

The Secretary of the Board of Trade,  
Railway Department.

SIR,

Shrewsbury, 3rd September, 1852.

I am directed by the Directors of the Shrewsbury and Hereford Railway Company, in reply to your communication of the 27th ult., to state for the information of the

Lords of the Committee of Privy Council for Trade, that by the original plan of the Shrewsbury and Hereford Railway, it was proposed to stop up the highway alluded to by Mr. F. M. Beddoes, it being the opinion of the engineer and of other parties interested in the district, that the keeping open this road was not necessary for the public, inasmuch as there was another and equally convenient road provided, and where a proper lodge and gates were to be and will be provided. I beg to enclose a plan showing the several communications; and respectfully submit for the consideration of their Lordships, whether it will not be more conducive to the public safety, and not occasion public inconvenience, if their Lordships shall sanction the original intention of stopping up the road being carried out.

I am, &c.,

WALTER ROBERTS,

The Secretary of the Railway Department,  
Board of Trade.

Secretary.

SIR,

Railway Department, Board of Trade,  
Whitehall, 4th September, 1852.

I have been directed by the Lords of the Committee of Privy Council for Trade, to acknowledge the receipt of your letter of the 3rd instant, upon the subject of the crossing of the Watling Street highway on the level by the Shrewsbury and Hereford Railway, and requesting their Lordships to "sanction the original intention of stopping up the road being carried out."

My Lords direct me to observe that they have no power to authorise the stopping up of a public road, and that by the provisions of the Act 8 Vict. cap. 20. sec 47., when existing turnpike or public carriage roads are crossed on the level, the Railway Companies are bound at such level crossings to erect and maintain good and sufficient gates across such roads on each side of the railway, and to employ proper persons to open and shut such gates.

Although it would appear from the parliamentary plans of the Shrewsbury and Hereford Railway Company, that the Watling Street highway was, as stated in your letter, intended to be stopped, yet no power was given in the Act to stop up the road, and as it still remains open, it does not appear to my Lords that there is anything to exempt the Company from the duty of erecting and maintaining proper gates at the crossing of the railway; and my Lords therefore request to be informed what steps the Shrewsbury and Hereford Railway Company propose to take in the matter.

I am, &c.,

DOUGLAS GALTON,

The Secretary of the Shrewsbury  
and Hereford Railway Company.

Capt. Royal Engineers.

Wistanstow, Salop,

SIR,

Cheney Longville, 26th January, 1853.

On the 25th of August last I addressed a communication to you, complaining of the very unsafe and dangerous state of a crossing on a public highway on the Shrewsbury and Hereford line of railway, being the Watling Street Road in the township of Longville in the parish of Wistanstow. I also sent you the copy of a note I had previously written to the Secretary of the Shrewsbury and Hereford Railway Company on the same subject.

Up to the present time nothing has been done to remedy the grievance complained of.

The gates are of the same description (I before observed) as are put on a level crossing for the private accommodation of proprietors or occupiers of land; and are not so constructed as when closed to fence in the railway, and therefore do not prevent horses, cattle, or other animals passing along the road, from entering on the railway, nor is there any person stationed there to see that the gates are properly closed.

I beg to assure you it is a subject that causes no small degree of alarm to a great portion of the inhabitants in this immediate neighbourhood. I therefore entreat you to lay the case before the Lords of the Privy Council for Trade, who I trust will institute a rigid inquiry on the subject.

I am, &c.,

To the Secretary of the Board of Trade, F. M. BEDDOES.  
Railway Department, London.

Office of Committee of Privy Council for Trade,  
SIR, Whitehall, 29th January, 1853.

I am directed by the Lords of the Committee of Privy Council for Trade to acknowledge the receipt of your letter of the 26th instant, relative to the state of the level crossing of the Watling Street Road by the line of the Shrewsbury and Hereford Railway, and to inform you in reply that, as it appears from your statement that no steps have been taken by the Company to remedy the dangerous condition of the crossing, my Lords will instruct one of their inspecting officers to inquire into the circumstances of the case on the spot.

I am, &c.,

F. M. Beddoes, Esq.

JAMES BOOTH.

SIR,

5th March, 1853.

I have the honour to inform you that, in compliance with the instructions contained in your letter of the 31st inst. [?] I have inspected the level crossing of the Watling Street Road by the Shrewsbury and Hereford Railway, in the parish of Wistanstow, Salop.

It would appear from the parliamentary plans of the Shrewsbury and Hereford Railway (a tracing of which I have appended), that it was intended that this road should be stopped up, and that the traffic should be carried along

the turnpike road, which (as shown in the accompanying sketch) crosses the Watling Street Road on the west of the railway, and joins it again on the east of the railway. The Act, however, does not contain any provision upon the subject, nor does it authorise the Company to cross this road on the level.

The Watling Street Road at the point at which it crosses the railway is provided with gates and proper fencing, but the gates do not close across the railway, nor do the Company maintain a gatekeeper at the crossing, as required under the provisions of the Act 8 Vict. cap. 20.

The turnpike road above mentioned crosses the railway at about 16 chains from the Watling Street Road, and is provided with proper gates to close across the railway, and a gatekeeper. The length of the portion of the Watling Street Road between the points at which it intersects the turnpike road on each side of the railway is about 34 chains, and the length of the turnpike road between the same points is about 51 chains, and hence the proportionate saving in distance to persons passing between the two points is about one-half. But since level crossings of roads are extremely objectionable, it certainly would appear conducive to public safety, for the road, if not carried over the railway by means of a bridge, to be stopped up. If, however, the level crossing be allowed to remain, I am of opinion that gates should be erected there, capable of closing across the railway, as well as across the road, and that a gatekeeper should be appointed to watch the crossing.

I have, &c.,

DOUGLAS GALTON,  
Capt. Royal Engineers

The Secretary of the Railway Department,  
Board of Trade.

SIR,  
Railway Department, Board of Trade,  
Whitehall, 15th March, 1853.

I am directed by the Lords of the Committee of Privy Council for Trade to call your attention to a letter from this Board, dated the 4th of September last, to which no answer has been received.

I am also to inform you that having received a further complaint from Mr. Beddoes of the danger to the public using the level crossing of the Watling Street Road, my Lords caused the crossing to be inspected by one of their officers, and from the report of that officer it appears to their Lordships that, so long as the road in question is crossed on the level of the railway, it is necessary for the public safety that proper gates should be maintained across the road, and gatekeepers employed to open and shut the gates, as required by the 4th section of the Railway Clauses Act (8 Vict. c. 20).

I am therefore to request that my Lords may have an answer to their letter of the 4th September, without any further delay, in order that their Lordships may determine what steps it may be their duty to take for enforcing a compliance with the act.

I am, &c.,

J. L. A. SIMONS,

The Secretary of the Shrewsbury  
and Hereford Railway Company.

Capt. Royal Engineers.

SIR,  
Shrewsbury and Hereford Railway Offices,  
Shrewsbury, 18th March, 1853.

I beg to acknowledge the receipt of your letter of the 15th inst., referring and requiring an answer, to a letter from the Railway Department of the Board of Trade, dated the 4th September last.

In reply I am desired to state, for the information of the Lords of the Committee of Privy Council for Trade,



that our engineer has been instructed to comply with the provisions of the Acts of Parliament, respecting the level crossing of the Watling Street Road.

I have, &c.,

WALTER ROBERTS,

Capt. Simons, R. E., &c., &c.

Secretary.

6. Write a précis of the following portion of Mr. Wornum's Report on the Library of Art, January 1854 (*See 1st Report of the Department of Science and Art.*)

*Mr. Wornum's Report, § 7 to § 12.*

The library was opened in Marlborough House for the use of students of the Department, and the public, in October 1852, but in the mornings only; and, owing to the very small number of books then possessed (1500 volumes), compared with the number necessary for it to fulfil its objects, it was not advertised, and the attendance was small, averaging for the year 1852 only five per day.

In 1853, although for the first half year it was impossible to open the library in the evenings, the attendance gradually improved, much in the ratio in which the library itself became more efficient; it depending still for its publicity on the reports of visitors. And we find, for the first half year of 1853, the daily average increased from five to eight per day. In the end of June, however, the library having outgrown its accommodation in the main building of Marlborough House, three larger rooms were provided in the west wing, and as the difficulty of lighting with gas was now obviated, the library was opened from ten in the morning until nine at night, daily, except Saturday nights. It was now advertised, and a detailed statement of its objects was published in the form of a prospectus. The result of this change and publicity was most striking.

The library was kept open during the whole vacation,

when the students of the department were absent, yet the attendance of the public during the three summer months raised the average of the previous half-year from eight to twelve daily. But during the last three months of the past year, after the schools recommenced and the library was more thoroughly advertised, by distributing the prospectus and otherwise, the utility of the institution first gave decided indications of its probable ultimate importance to the public. The daily average for these three months, although the library is closed on Saturday nights, rose from thirteen to thirty-eight. The comparison of the averages for the last three months of the two years 1852 and 1853, gives an increase in the favour of the latter of nearly eightfold. The highest attendance on a single day has been fifty-two, and a much larger number than the library can accommodate at one time has frequently been in attendance. The actual numbers are, for 1852,—284; for 1853,—4425.

The main cause of this signal success has, doubtless, been the opening of the library in the evening; but the increased publicity given to the institution by the publication of the prospectus, and, doubtless also, the reports of readers of the peculiar and practical nature of the books and other examples in the library, have partly contributed to its success. The register of visitors shows an actual greater number for the morning than the evening attendance, but in fact it is not so. The line between morning and evening, as the library is open the whole day, must be drawn somewhere, and it is drawn at five o'clock; but many of those already in the library at five remain during the early part of the evening. Making such allowance, the evening attendance will show probably two-thirds of the whole for the day. The present high average of nearly 250 readers per week, and a remark-

able increase with reference to the previous year, is shown in the following table :—

| Months.      | 1852. | 1853. |                        |
|--------------|-------|-------|------------------------|
| October - -  | 76    | 923   |                        |
| November - - | 83    | 912   |                        |
| December - - | 125   | 771   | Closed Christmas week. |

This would indicate a great public necessity for a library of the kind now established in connection with the Department.

Though the attendance is derived mainly from the schools, comprising men of various ages and pursuits, already established in life, the public, unconnected with the schools, are gradually evincing an appreciation of the peculiar benefits afforded by the collection. The number of such subscribers for the year has been 170. In June, when the library was closed in the evenings, the number was five; in November, when open in the evenings, the number was forty-three.

It must be borne in mind that all visitors to the library pay — the students, as well as the public; and though the fee may be small, it is a guarantee of the earnest nature of the studies carried on. And when this circumstance is considered, the assumption of a signal success for the library is not without just cause.

7. Write a précis of the following portion of the minutes of Sir Richard Mayne's evidence before the Select Committee on Transportation : *Questions*, 3358 to 3371.

*Evidence of Sir Richard Mayne, K.C.B.*

*Thursday, 19th June, 1856.*

3358. *Chairman.*] I believe that you were at the head

of the Metropolitan Police, when the Act into which we are now inquiring passed, and that you have ever since held that office?—Yes.

3359. Will you favour the Committee with your opinion as to the effect of transportation as a punishment, so far as you have had the means of judging from information which has come before you in your official character?—In my opinion, it was a very valuable punishment, as a mode of relieving this country of criminal characters, also as the best means, I believe, of enabling those to reform who are so disposed.

3360. Is it, in your judgment, calculated to exercise a peculiarly deterring effect upon the classes from which the criminal has come?—From all the inquiries which I have made,—and I have repeatedly asked the police officers who come more immediately in contact with criminals,—their opinion is decidedly that transportation was one of the punishments most feared by criminals as a class, differing, of course, very much according to the circumstances of the individual. It was a much severer punishment for persons who had ties here of family or connexions of various kinds, than to the young isolated criminal, desirous of reforming. It was also much less dreaded by the criminal, who felt that it gave him his best chance of escaping from associates and habits here which almost necessarily led him to return to the commission of crime on being released from punishment.

3361. In your judgment it would not be expedient to part with the punishment altogether?—I am clearly of that opinion.

3362. Are you also of opinion, that if the difficulties which caused the passing of the Act of 1853 were removed, it would be desirable to resume the practice to a certain extent?—I believe it would be advantageous in a very great degree, as relieving this country from a number of

criminal characters, who from their old associates and habits of life, the difficulty of obtaining employment, and other circumstances, in a country where society is in the state in which it is in England, must find it almost impossible, or exceedingly difficult at all events, to live by honest courses; and it would likewise give, I think, to many the best chance, indeed to many perhaps the only chance, of living by honest means.

3363. Are you of opinion that, with regard to the classes to whom you have now particularly alluded, any system of imprisonment which could be devised, would fully compensate for the want of the power of transportation?—I do not see how any system of imprisonment (and of course systems of imprisonment in England must be necessarily for limited periods), can get over the difficulty of a criminal having to return to a state of society in which it is exceedingly difficult to get honest employment with his tainted character, and where the associates and habits which perhaps led him into the commission of crime, or at all events to which he was used when he was in the habit of committing crime, again offer him the temptations to return to criminal habits. I likewise think there is a very great advantage in sending criminals to a new country where employment is more easily had, and where there are not those temptations, from associations and from former habits and connexions with criminal characters, which induce men to return to crime.

3364. Have you formed an opinion as to the actual effect which has as yet been produced by the Act of 1853, as to whether it has been favourable or otherwise?—I have watched it, as far as I have had the means, with great interest, and I have, I may say, very reluctantly, come to an unfavourable conclusion as to its operation.

3365 Will you have the goodness to state to the Com-

mittee the grounds upon which you have found yourself obliged to come to that conclusion?—I do not refer exclusively to the system of ticket-of-leave, but to any system by which persons are, after short periods of imprisonment, returned to society here. It sends back into society persons who have committed serious crime (the number is already considerable, and is of course rapidly increased) upon many of whom I think no great change could have been effected, considering the short time that they have been in prison, and the associations, and the temptations which surround them immediately upon their release; and what I think is a very important part of the question, the difficulty of getting employment, so as to earn their living by honest means. I think that such a combination of circumstances almost necessarily compels or induces many to return to the commission of crime. The number has been greatly increasing of those whose tickets-of-leave have been revoked. I have here a return, month by month, of the number of those who are sent to prison; they are always committed by the chief magistrate of Bow-street, and his warrant is executed by the police. I find that the whole number is 174, whose licences have been revoked.

3366. For what district is that?—This I believe applies to the whole of England; all the criminals are recommitted by the warrant of one of the police magistrates; the chief magistrate of Bow-street, I believe, issues the warrant.

3367. *Mr. Adderley.*] It does not include Scotland and Ireland?—No, only England; they are all recommitted in the custody of the metropolitan police, so that in that way I have the returns in my own office. In July 1854 there were 3, in August 1, in November 5, and in December 4; making 13 for those four months of 1854, whose licences were revoked. In 1855, in January there was 1, in February 1, in March 6, in April 8, in May 4, in June 7, in

July 12, in August 5, in September 6, in October 11, in November 8, and in December 8; making 77 for the year 1855. Then, for the six months of the present year, the number is 84; being in January 11, in February 17, in March 13, in April 19, in May 18, and, up to the 16th of this month, 6.

3368. *Sir John Pakington.*] Do you know the gross numbers, in the two years, who have been at large?—A few more than 5000, I believe, have been released.

3369: I presume that the number at large on this day are considerably more than they were this day 12 months?—I am quite aware of that; I do not give this as the percentage.

3370. It must be taken with that qualification?—Of course it must; but looking at it as a question of police, it shows the number of persons who are released after short periods of improvement\*, who return to the commission of crime, for which they are convicted.

3371. *Chairman.*] It would not show the comparison between the number of persons whose licences have been revoked in a certain month, and the number of persons at liberty on tickets-of-leave at the same time?—No. I merely mention it, as showing the difficulties which the police have to deal with, from the increased numbers of those who commit crime, after release from imprisonment, under the present system; I do not believe that any licence has been revoked, unless the party has been actually convicted for crime.

\* Apparently a misprint for *imprisonment*.

## CHAP. IX.

## THE INDEX ABSTRACT.

VERY frequently the requirement of a *précis* or abstract is simply a sort of brief descriptive index or indication of what is chiefly stated, or treated of, in a paper; and though some degree of merit is implied in the ability to seize for that purpose the more important point or points in a letter or document, and to express the same correctly, briefly, and distinctly, yet this kind of abstract is much more easily derived than the memorandum, or *précis* proper, exemplified in the 8th and 10th chapters.

In proceeding to show how the sense of a passage may be presented in its most elementary form, all that is requisite for the student who has carefully perused the preceding chapters of this treatise, is to present for his inspection a few illustrative examples.

*Ex.* 1. 'Rasselas was the fourth son of the mighty emperor in whose dominions the Father of Waters begins his course, whose bounty pours down the streams of plenty, and scatters over half the world the harvests of Egypt.'

By substitution, elimination, and compression, this passage may be more and more reduced, as follows:—

'Rasselas was the fourth son of the mighty emperor in whose dominions the fertilising and grain-exporting Nile begins its course.'

'Rasselas was the fourth son of the emperor in whose dominions the Nile rises.'

'Rasselas was the fourth son of the emperor of Abyssinia.'



In the last of these abridgments the Index Abstract is arrived at; but the intermediate less compact forms of abridgment are not to be regarded as necessary parts of a method of deriving the simplest form; they are introduced only for the sake of comparison.

*Ex. 2.* 'Telemachus thus answered Calypso, — "Whoever you are, mortal or immortal, though one cannot behold you without believing you to be a divinity, can you prove insensible to the misfortune of a son, who seeking his father amidst the perils of winds and waves, has been shipwrecked on your rocky coast?" "Who then is your father?" replied the goddess. "His name is Ulysses," said Telemachus; "he is one of those princes who, after a ten years' siege, overthrew the famous city of Troy. For valour in combat, and still more for sagacity in council, he was renowned throughout all Greece and in all Asia. Now, wandering over all seas, he is exposed to the most terrible dangers; his native land seems to fly before him; his wife Penelope, and I his son, have no hope of ever seeing him again; and I pursue my course, beset by the same dangers as he, endeavouring to ascertain where he is. But, what do I say? perhaps now he lies buried in the deep abysses of the sea.'"

The import of this passage may be indicated by the following brief description of its contents: —

'Telemachus endeavours to excite the pity and generosity of Calypso by the recital of his misfortunes and those of his illustrious father.'

Our third example shall be of the epistolary kind. (*See 4th Report of Civ. Serv. Comrs.*)

*Ex. 3.* 'Mr. Jolliffe to the Commissioners of Audit.

GENTLEMEN, Treasury Chambers, 23rd June, 1858.

In reply to your letter of the 27th instant, I am commanded by the Lords Commissioners of her Majesty's

Treasury to acquaint you, that my Lords are pleased to authorise the adoption of reading, writing from dictation, and elementary arithmetic, as the subjects of examination for messengerships in the Audit Office, and that the age for admission of candidates be fixed at from twenty-one to thirty-five years.

I am, &c.,

(Signed) W. HYLTON JOLLIFFE.

The Commissioners of Audit.'

The abstract of the above letter may be in either of the following forms :—

Mr. Jolliffe to Comrs. of Audit,  
23rd June, 1858.

Subjects of examination for messengerships in Audit Office to be, reading, writing from dictation, and elementary arithmetic. Limits of age, 21 and 35.

Mr. Jolliffe to Comrs. of Audit,  
23rd June, 1858.

Specifying subjects of examination and limits of age for messengerships in Audit Office.

It is the latter of these forms that exemplifies more properly the Index Abstract, the former having more the character of a memorandum. At the same time it should be observed, that the Index Abstract is, generally, and with expediency, made to resemble the first form, when the occupation of space thereby occasioned is very small.

*Ex. 4.* The following is an Index of the correspondence between Mr. Gardner and Mr. Maitland forming the 3rd exercise in the preceding chapter.

| Correspondents and date of letter.               | Substance of Communication.                                                                                                                                                 |
|--------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Mr. Gardner to Mr. Maitland, 23rd Aug. 1859.  | Board of Customs inquire whether Mr. Berwick must be re-examined for change of title from Tidewaiter to Principal Coast Officer.                                            |
| 2. Mr. Maitland to Mr. Gardner, 27th. Aug. 1859. | C. S. Comrs. cannot certify for situation of Principal Coast Officer from papers set for that of Tidewaiter ; but suggest reduction of scale of subjects for former office. |
| 3. Mr. Gardner to Mr. Maitland, 31st Aug. 1859.  | Requesting further examination of Mr. Berwick. Expediency of reducing scale of subjects will be considered.                                                                 |
| 4. Mr. Gardner to Mr. Maitland, 3rd Sept. 1859.  | Board of Customs do not advise alteration of subjects of examination for Principal Coast Officer.                                                                           |

*See NOTE on opposite page.*

#### EXERCISES [H].

Write a series of abstracts simply *indicating* the import of each of the seven following passages : —

1. It is not the limited amount of surveillance, but the imperfection of our system of criminal statistics, which is the great evil.

2. He perceived from the shore benches broken to pieces, oars scattered here and there on the sand, and a mast and cordage floating on the waves.

3. It is very difficult to make, &c. (*See* Chap. VII. Ex. 10.)

4. The study of the animal kingdom, &c. (Chap. VII. Ex. 11.)

5. The curiosity, entertained by all civilised nations, of inquiring into the exploits and adventures of their ancestors, commonly excites a regret that the history of remote ages should always be so much involved in obscurity, uncertainty, and contradiction.

6. There is no society or conversation, &c. (Chap. VII. Ex. 19.)

7. If the Hebrew prophet had requested, &c. (Chap. VII. Ex. 20.)

8. Write an Index Abstract\* of the—

. . . Letter from Sir C. Trevelyan. (p. 40.)

9. . . . Letter from Mr. Godley. (p. 79.)

10. . . . Correspondence of Messrs. Roberts, &c. (p. 44.)

11. . . . Ditto of Colonel Brownrigg, &c. (p. 79.)

12. . . . Ditto of Mr. Waddington, &c. (p. 47.)

13. . . . Communications from Viscount Courtenay, &c. (p. 84.)

14. . . . Correspondence of Mr. Beddoes, &c. (p. 88.)

15. . . . Extract from Mr. Wornum's Report. (p. 96.)

16. . . . Ditto from Sir R. Mayne's Evidence. (p. 98.)

17. . . . Précis of Mr. Hill's Evidence. (p. 73.)

\* The Index Abstract, as a Schedule or Table of Contents to be prefixed to a Series of Letters, has sometimes the following form:—

| No.                             | Date           | Subject                                                                                                          |
|---------------------------------|----------------|------------------------------------------------------------------------------------------------------------------|
| 1. Mr. Gardner to Mr. Maitland. | Aug. 23, 1859. | Inquiring whether Mr. Berwick must be re-examined for change of title from Tidewater to Principal Coast Officer. |

## CHAP. X.

## THE CONTINUOUS PRÉCIS OF CORRESPONDENCE.

1. INSTEAD of precisising correspondence *letter by letter*, as exemplified in Chap. VIII., we may do it in *one continuous narrative*; and, as the latter method is the one commonly required at examinations, though the former is often used in actual business, we shall in the present chapter exemplify the continuous form.

A Précis of the correspondence on pp. 47–51, according to the way now proposed, will assume the following form :—

*Précis of Correspondence relative to the Examination and Age of Candidates for Clerkships in the Home Office.*

- No. 1.—28/4/56. Mr. Waddington was instructed by Sir G. Grey to state that subjects of examination for clerkships had better be settled at once; that candidates should be between the ages of 18 and 25, in good health, proficient in writing, spelling, and composition, respectable in arithmetic, geography, English history, Latin and French; and might choose to be examined in extra subjects for an honorary certificate; that a candidate for promotion should be examined, in his own office, as to his ability in writing a précis, and his acquired knowledge of the business of his office. Mr. Maitland replied that the examinations would
- No. 2.—30/4/56.

- be conducted in the manner proposed; and he enclosed a scheme of examination, specifying exercises to test writing and spelling, arithmetic including fractions, geography, English history, English composition, Latin, and French;—which scheme was approved by Sir G. Grey.
- No. 3.—1/5/56.
- No. 4.—7/8/56. Mr. Maitland stated that three nominated competitors for a clerkship would be examined on the 19th inst.; that exception being desired by Sir G. Grey in favour of one of these, above the prescribed age, the commissioners desired thus to facilitate transfers to another department, in the case of a candidate who was of eligible age when he entered on his previous employment; but suggested that no such exception should be made for candidates above 30. The condition and suggestion thus expressed were agreed to by Sir G. Grey.
- No. 5.—13/8/56.

By comparing the above continuous form with the separate digests exemplified on pp. 52–3, it will be seen that the transformation of the latter into the former is attended with no difficulty. It may be observed, however, that the last two letters of the correspondence between Mr. Waddington and the Civil Service Commissioners are not in series with the preceding ones, and that the five letters, of which we have just given a running narrative, are not strictly adapted for that form of précis.

2. We now proceed to engage the student's attention with an example of précis which, more than any other that we have given, will be found useful to Civil Service candidates. Our previous examples may be considered an easy discipline preparatory to the task which a candidate is usually required to perform as the test of his ability in précis writing, and which may be estimated by the following specimen. We give the whole of a Parliamentary paper, such as is commonly placed before candidates, and subjoin to it a continuous précis, a little longer perhaps than could be easily composed by the generality of candidates in the time usually allowed, but suggestive enough of the manner of selecting the more important parts of a correspondence, and presenting them in a consecutive and readable shape.

*Copy of Correspondence between the Board of Admiralty and the Treasury Board, and the Queen's Proctor, on the subject of Prize Money claimed by the Army and Navy, for the Capture of Kertch and Yenikale.*

No. 1.—*Mr. F. H. Dyke to Mr. W. G. Romaine.*

SIR,

Doctors' Commons, 19th June, 1861.

I have the honour to state, for the information of the Lords Commissioners of the Admiralty, that an application has been made to me, as Her Majesty's Procurator General, to apply to the Judge of the High Court of Admiralty, to condemn a large quantity of stores captured at Kertch and Yenikale by the combined forces in 1855; but before so doing, I feel it to be my duty to call their Lordships' attention to the subject.

The following extracts from the Despatch of the late Admiral Lyons, Commander-in-Chief, detail the circum-

stances of the operations, dated "Royal Albert," Straits of Kertch, 26th May, 1855 :—

"The fleet, which consisted of Her Majesty's ships named in the margin, and a French fleet of nearly equal force, under the command of my very gallant and energetic colleague, Vice-Admiral Bruat, assembled off the Straits of Kertch, at early dawn, on the birthday of Her Most Gracious Majesty the Queen, and both armies and navies confidently anticipated a successful celebration of that auspicious day."

"The fleets steamed rapidly up to Kameish, where the army landed under cover of the guns of the steam frigates, and immediately ascended the heights without opposition, whilst the steamers of light draught of water pushed on towards Kertch and Yenikale; and the enemy, apparently taken by surprise at the rapidity of these movements, and at the imposing appearance of the expedition, blew up his fortifications on both sides of the Straits, mounting not less than fifty guns (new and of heavy calibre) which have fallen into our possession; and retired after having destroyed three steamers and several other heavily armed vessels, as well as large quantities of provisions, ammunition, and stores, thus leaving us masters of the entrance into the Sea of Azof without our having sustained any loss whatever."

"Of the forty vessels sunk last year some still remain, and a French steamer touched upon one of them yesterday. It appears the enemy did not succeed in destroying the coals, either at Kertch or Yenikale, so that about 17,000 tons remain, which will be available for our steamers."

It will be observed, that a considerable time since, the stores were captured; but the delay is to be accounted for by the supposition that Her Majesty's Government would make a grant in lieu of prize money, and the absence of



some of the officers on distant stations, whose evidence it was necessary to obtain.

I beg to suggest that, after the lapse of so much time, the most convenient mode of proceeding would be by way of grant from the Crown, instead of by application to the Prize Court for a sentence of condemnation of the above stores, as the stores themselves have been applied to the public service.

I am, &c.,

(Signed) F. H. DYKE.

W. G. Romaine, Esq.,  
&c. &c. &c.

*No. 2.—Mr. C. H. Pennell to Mr. F. H. Dyke.*

SIR,

Admiralty, 20th June, 1861.

Having laid before my Lords Commissioners of the Admiralty your letter of the 19th instant, stating that you have received an application as Her Majesty's Procurator General, to apply to the Judge of the High Court of Admiralty, to condemn certain stores which were captured at Kertch and Yenikale by the combined forces in 1855, and suggesting that after such a lapse of time it would be more convenient for Her Majesty's Government to make a grant, than that an application should be made to the High Court of Admiralty for a sentence of condemnation, the stores in question having been applied to the public service, I am commanded by their Lordships to request that you will stay proceedings as proposed.

I am, &c.,

(Signed) C. H. PENNELL,  
pro Secretary.

F. H. Dyke, Esq.,  
Queen's Proctor, Doctors' Commons.

*No. 3.—Mr. C. H. Pennell to Mr. F. H. Dyke.*

SIR,

Admiralty, 8th July, 1861.

With reference to your letter of the 19th, and my reply of the 20th ultimo, relative to a grant being made by Her Majesty's Government in lieu of prize money, for certain stores which were captured at Kertch and Yenikale by the combined forces in 1855, I am commanded by their Lordships to acquaint you, that in the absence of any record of the actual amount of stores taken for the use of Her Majesty's ships from captures made at those places, it will be necessary, before their Lordships can come to any decision on the subject, that they be informed of the nature and amount of the stores of which you have been asked to procure the condemnation, and also as to the persons by whom the application is made.

I am, &amp;c.,

(Signed) C. H. PENNELL,  
pro Secretary.

F. H. Dyke, Esq.,

Queen's Proctor, Doctors' Commons.

*No. 4.—Mr. F. H. Dyke to Mr. W. G. Romaine.*

## STORES CAPTURED AT KERTCH AND YENIKALE.

SIR,

Doctors' Commons, 24th July, 1861.

I have the honour to acknowledge the receipt of your letter of the 8th instant, stating that you were commanded by the Lords Commissioners of the Admiralty to acquaint me that, in the absence of any record of the actual amount of stores taken for the use of Her Majesty's ships from captures made at Kertch and Yenikale, it will be necessary, before their Lordships can come to any decision on the

subject, that they should be informed of the nature and amount of the stores of which I have been asked to procure condemnation, and also as to the persons by whom the application is made.

In reply, I beg to transmit a copy of a letter and enclosures received from Messrs. Ommanney & Co., giving the information required by their Lordships.

I have, &c.,

(Signed) F. H. DYKE.

W. G. Romaine, Esq.,  
&c. &c. &c.

[Enclosures in No. 4.]

SIR, 40 Charing Cross, London, 17th July, 1861.

We are favoured with yours, enclosing a copy of a letter from the Lords Commissioners of the Admiralty requesting information as to the nature and amount of stores captured at Kertch and Yenikale, and as to the persons by whom the application for condemnation is made.

The stores consisted of the following :

20,000 tons of coals, valued at 3*l.* 8*s.* per ton, equal to 68,000*l.*, the capture of which is corroborated in Lord Lyons's despatch, enclosed herewith.

*Smelting Works.*

Two stationary engines for smelting iron, of about twenty-horse power each.

Air engine or blast for ditto (large).

Boilers (large and small).

Entire works complete, with furnaces, shafts, and chimneys, with coals and all useful details for carrying on the operations of smelting iron from the ore; coals and valuable pig iron sent to Kazatch, of which iron there was about 60 tons.

*Steam Factory.*

One portable high-pressure engine, of about six-horse power. Boiler for ditto. Shaft, wheels, and gearing for ditto.

One new screw-cutting lathe, of large dimensions, with wheels, gear, slide, rest, &c.

One punching and shearing machine.

One slotting machine (small). One shaping ditto. One drilling ditto (very good). One planing machine (broken). One surface plate (very good).

Metal brasses (new, of sorts); moulds for casting shot; gun radius sectors, with other articles found buried, about 2½ tons in weight.

One disc engine. Tools of different kinds. Three large turning lathes (old, but in use and good repair).

Marine engine gear (such as cast-iron side levers, side rods for the vessels employed in the Sea of Azoff and Circassian coast, boiler plate, &c.)

Some of these articles were destroyed, the remainder were distributed for the use of the operations.

*Corn Mill,*

With engine boiler, six pairs of stones, with all gearing necessary for immediate use; engine and gearing was disposed of by Government; a quantity of flour and corn was used by the Commissariat.

*Store House.*

This establishment contained spare gear for marine steam engines and boilers, such as cast iron side levers, spare pistons, boiler tubes (metal), boiler plate, bar iron, cast iron, rope, chain cables, blocks (wood and iron), spars,

guns (metal and iron), gun carriages, canvas, boats, &c. All the available articles on this establishment were made use of, distributed among the ships sent to Kazatch and Balaclava.

Three fire engines (one very large, and two small).

*Corn.*

Eighty thousand quarters of wheat were destroyed, except a small portion, which was worth 50s. per quarter.

Three war steamers, the escape of which was prevented by Her Majesty's ship "Snake;" they were burned; the total of the crew consisted of not less than 100 men each.

Several guns of heavy calibre, many of which were sent to Kazatch, and used at the siege of Sebastopol; two 68-pounders were put on board Her Majesty's gunboats, "Snake" and "Viper;" two more, with seven 56-pounders, eleven 36-pounders, ten guns of smaller calibre, and several iron gun carriages, were landed at Portsmouth.

Anchors of different weights, steam and other machinery, besides a considerable quantity of iron, copper, and brass metal, were sent to Kazatch; some transhipped to Constantinople, where it was sold, and the proceeds retained by Her Majesty's Government.

The machinery captured enabled Mr. Baker to keep in order the whole fleet till the termination of the war, as well as materially assisting in repairs of transports.

A portion of the machinery, after the war, was transhipped from Kazatch to Gibraltar, where it is now in use by Her Majesty's Government. (*Vide* Return enclosed herewith.)

The fleet drew large quantities of plank, spars, cordage, and other naval stores, which were used in refitting the ships and supplying them with stores.

The application is made by the following officers, who are prepared to verify the facts on oath for themselves and on behalf of the officers and crews of Her Majesty's fleet engaged in the operations :—

Captain W. R. Mends, Flag Captain to Lord Lyons, and who acted as Beach Master at Kertch.

Captain Sir John Dalrymple Hay, Flag Captain to Rear Admiral Sir Houston Stewart.

Captain W. Loring, of Her Majesty's ship "Furious," who acted as Beach Master at Kertch.

Captain J. R. Sullivan, of Her Majesty's ship "Simoom," which vessel conveyed machinery, &c. to Kazatch and the guns to Portsmouth.

Commander H. F. M'Killop, of Her Majesty's gunboat "Snake."

Captain Eardly Wilmot, of Her Majesty's ship "Sphinx."

Mr. Thomas Baker, Inspector of Machinery.

Mr. W. M. Rumble, Chief Engineer.

We remain, &c.,  
(Signed) OMMANNEY & Co.

F. H. Dyke, Esq.

EXTRACT from a Despatch from Rear Admiral Sir Edmund Lyons, G.C.B., Commander in Chief of Her Majesty's ships and vessels in the Mediterranean and Black Sea, dated "Royal Albert," Straits of Kertch, 26th May, 1855 :—

"Of the forty vessels sunk last year, some still remain, and a French steamer touched upon one of them yesterday. It appears that the enemy did not succeed in destroying the coals, either at Kertch or Yenikale; so that about 17,000 tons remain, which will be available for our steamers."

*No. 5.—Mr. W. G. Romaine to Mr. F. H. Dyke.*

SIR, Admiralty, 27th September, 1861.

With reference to your letter of the 24th July last, and to former correspondence on the subject of stores captured at Kertch and Yenikale by the combined forces in the year 1855, I am commanded by their Lordships to request you to state what is the total value placed by the captors on the goods captured.

I am, &c.

(Signed) W. G. ROMAINE.

Francis H. Dyke, Esq., Queen's Proctor,  
Doctors' Commons.

*No. 6.—Mr. F. H. Dyke to Mr. W. G. Romaine.*

SIR, Doctors' Commons, 16th October, 1861.

I have the honour to acknowledge the receipt of your letter of the 27th ultimo, on the subject of stores captured at Kertch and Yenikale by the combined forces in the year 1855, and stating that you were commanded by the Lords Commissioners of the Admiralty to request that I would state what is the total value placed by the captors on the goods captured.

In reply, I beg leave to state that I am informed by the agents of the captors that the lowest value which can be placed upon the goods in question is 120,750l.

I have, &c.,

(Signed) F. H. DYKE.

W. G. Romaine, Esq.,  
&c. &c.

*No. 7.—Mr. W. G. Romaine to the Secretary to the Treasury.*

SIR,

Admiralty, 19th October, 1861.

I am commanded by my Lords Commissioners of the Admiralty to transmit to you herewith, to be laid before the Lords Commissioners of Her Majesty's Treasury, the original documents of a correspondence which has taken place on the subject of certain stores captured by the combined forces at Kertch and Yenikale, in the year 1855, for the condemnation of which in the High Court of Admiralty application has been made to the Queen's Proctor, with a view to the distribution of the value as prize money to the captors.

A Return on this subject was made to the House of Commons on the 19th March, 1861, but the stores would appear to consist mainly of 17,000 tons of coals, according to a Despatch from Rear Admiral Sir Edmund Lyons, dated 26th May, 1855. These coals are valued by the captors at 3*l.* 8*s.* per ton, but the Storekeeper General of the Navy fixes the proper price to be 3*l.* per ton.

My Lords consider that it will be for the Lords of the Treasury, on considering all the facts of the case, to decide whether it will be expedient to allow the captors to proceed to condemnation of these articles, as prize in the High Court of Admiralty, or to grant such a sum as may seem fit to their Lordships.

My Lords consider that according to the custom of the service, the captors are entitled to a grant of money for their services.

Condemnation in the High Court of Admiralty would be attended with great delay and expense to both the



captors and the Government, and in all probability a large sum would be awarded by the Court.

It should be borne in mind that in case of condemnation in Court the French would be entitled to their proportion of the proceeds as a joint capture by the allied forces. Their Lordships would, therefore, perhaps consider it right in estimating the amount of such a grant, if made, to award such a sum as would be equivalent to the share of the British forces, leaving to the French Government, if it thought proper, to make an award to their troops engaged in the operations.

As regards the reason of the delay in bringing forward their claims, the captors state that they have been expecting a grant to be made by the Crown on account of these captures.

My Lords, in conclusion, direct me to acquaint you that they will be glad to receive the decision of the Lords of the Treasury, and I have to request that the enclosed documents, which are in original, and a schedule of which is enclosed, may be returned to me as soon as possible.

I am, &c.,

To the Secretary, (Signed) W. G. ROMAINE.  
Her Majesty's Treasury.

*No. 8.—Mr. G. A. Hamilton to the Secretary of the Admiralty.*

SIR, Treasury Chambers, 11th November, 1861.

The Lords Commissioners of Her Majesty's Treasury have had before them your letter of the 19th ultimo, enclosing correspondence which has taken place on the subject of certain stores captured by the combined forces at Kertch and Yenikale, in the year 1855, for the condem-

nation of which in the High Court of Admiralty application has been made to the Queen's Proctor, with a view to the distribution of the value as prize money to the captors; and their Lordships have directed me to acquaint you, for the information of the Lords Commissioners of the Admiralty, that as far as my Lords can judge from the very imperfect information afforded, there do not seem to be sufficient grounds for the interference of this Board in the matter, in order to prevent proceedings in the High Court of Admiralty.

My Lords are not aware of the grounds on which their Lordships of the Admiralty have formed the opinion that in all probability a large sum would be awarded by the Court to the captors, in the event of condemnation in the High Court of Admiralty.

They would be inclined to doubt whether after the lapse of so long a time, without a satisfactory explanation of the causes of the delay which has been incurred, the Court would be disposed to entertain the application of the captors; and although they are imperfectly informed of the course of proceeding (under the Act 17 & 18 Vict. cap. 19), in the case of a joint capture by naval and land forces of allies (for they conclude that the army would have in this case a proportionate claim with the navy), my Lords conceive that the judgment of the Court, in case of condemnation, would apply merely to condemnation as prize, leaving the value to be ascertained by subsequent investigation. In this case Her Majesty's Government would, as it appears to this Board, be answerable only for the stores, &c., applied to public purposes; and judging from the reports which form part of the papers enclosed in your letter, there seems to be no reason to suppose that the naval captors would establish their claim to the high

amount, stated by their agents. The enclosures to your letter are herewith returned.

I am, &c.,  
(Signed) GEO. A. HAMILTON.

The Secretary of the  
Admiralty.

*No. 9.—The Secretary of the Admiralty to the Secretary  
of the Treasury.*

SIR, Admiralty, 14th November, 1861.

Having laid before my Lords Commissioners of the Admiralty your letter of the 11th instant, on the subject of the stores captured at Kertch and Yenikale, in the year 1855, by the combined forces, and of the application that has been made to the Queen's Proctor to procure their condemnation as prize in the High Court of Admiralty—I am commanded by their Lordships to request, that you will move the Lords Commissioners of Her Majesty's Treasury, to cause my Lords to be informed if they are correct in supposing that the opinion expressed in your letter of the 11th instant, is that the proceedings for the condemnation of these stores should be allowed to go forward.

I am, &c.,  
(Signed) C. PAGET.

The Secretary,  
Her Majesty's Treasury.

*No. 10.—The Secretary of the Treasury to the Secretary  
of the Admiralty.*

MY LORD, Treasury Chambers, 25th November, 1861.

With reference to your letter of the 14th instant, further relative to the stores captured at Kertch and Yenikale in 1855 by the combined forces, and to the application which has been made to the Queen's Proctor to procure

their condemnation as prize in the High Court of Admiralty, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Lords Commissioners of the Admiralty, that my Lords intended by their letter of the 11th inst. to intimate an opinion that, so far as they could judge from the facts communicated to them, there were not sufficient grounds for awarding a grant to the captors in order to prevent them from taking such proceedings as may be open to them.

I am, &c.,  
(Signed) F. PEEL

The Secretary of the Admiralty.

*No. 11.—Mr. W. G. Romaine to Mr. F. H. Dyke.*

SIR, Admiralty, 29th November, 1861.

With reference to your letter of the 16th ultimo, and to previous correspondence on the subject of certain stores which were captured by the combined forces at Kertch and Yenikale in the year 1855, and for the condemnation of which, in the High Court of Admiralty, application has been made with a view to the distribution of the value as prize money to the captors, I am commanded by their Lordships to acquaint you, that they have referred the claim of the captors for the consideration of the Lords Commissioners of Her Majesty's Treasury, who have decided that the facts laid before them are not sufficient to justify their Lordships in recommending a grant of public money to the captors.

Their Lordships have further stated that, as so long a time has elapsed, without any satisfactory explanation having been afforded of the causes of the delay which has occurred in making the claim, they are inclined to doubt whether

the High Court of Admiralty would entertain a claim for prize money under Her Majesty's proclamation.

I am, &c.,

(Signed) W. G. ROMAINE.

F. H. Dyke, Esq., Queen's Proctor,  
Doctors' Commons.

*No. 12.—Mr. W. G. Romaine to the Secretary of the Treasury.*

SIR,

Admiralty, 27th December, 1861.

With reference to former correspondence respecting stores captured at Kertch and Yenikale, and to the application which has been made for their condemnation in the High Court of Admiralty, I am commanded by my Lords Commissioners of the Admiralty to send you herewith, to be laid before the Lords Commissioners of Her Majesty's Treasury, copy of a letter dated yesterday from the Queen's Proctor, enclosing a further application from Messrs. Ommanney, navy agents, that he would take steps for the condemnation of these stores; and I am to request that you will move the Lords of the Treasury to inform my Lords, as soon as possible, what answer should be given to the Queen's Proctor.

I am, &c.,

(Signed) W. G. ROMAINE.

The Secretary,  
Her Majesty's Treasury.

[Enclosure in No. 12.—Stores captured at Kertch and Yenikale.]

SIR,

Doctors' Commons, 26th December, 1861.

With reference to your letter of the 29th ult., I beg to send you a copy of a letter from Messrs. Ommanney & Co., and request to be informed whether the Lords Commissioners

of the Admiralty will authorise me, under the circumstances, to move the Judge of the High Court of Admiralty to condemn the stores in question.

I am, &c.,  
(Signed) F. H. DYKE.

W. G. Romaine, Esq.  
&c. &c. &c.

DEAR SIR, 40 Charing Cross, S.W., London,  
6th December, 1861.

We are favoured with yours of 3rd December, informing us that the Treasury decline recommending a grant of the stores captured at Kertch. We shall be obliged by your informing us whether, having the draft depositions before you, you are prepared to take steps for the condemnation of the stores in the High Court of Admiralty.

We remain, &c.,  
(Signed) OMMANNEY & Co.  
F. H. Dyke, Esq., Queen's Proctor,  
Doctors' Commons.

*No. 13.—The Secretary of the Treasury to the Secretary of the Admiralty.*

SIR, Treasury Chambers, 11th March, 1862.

With reference to your letter of the 27th of December last, enclosing copy of a letter of the Queen's Proctor, enclosing a further application for the condemnation in the High Court of Admiralty of the stores captured at Kertch and Yenikale in 1855, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of the Lords Commissioners of the Admiralty, that my Lords are unable to say anything on the subject in addition to what they stated in their letter

of the 11th November last, and it appears to their Lordships to be a question peculiarly for the decision of the Board of Admiralty, whether, on consideration of the points adverted to in that letter, it will be proper to instruct the Queen's Proctor to move for the condemnation of the stores in the High Court of Admiralty.

I am, &c.,  
(Signed) F. PEEL.

The Secretary of the Admiralty.

*No. 14.—The Secretary of the Admiralty to Mr. F. H. Dyke.*

SIR, Admiralty, 14th March, 1862.

With reference to your letter, in which you requested to be informed if my Lords Commissioners of the Admiralty would authorise you to move the Judge of the High Court of Admiralty to condemn the stores captured at Kertch and Yenikale, for which application has been made to you by Messrs. Ommanney & Co., agents for some of the captors, I am commanded by their Lordships to acquaint you that they will not prevent your application to the Court for the condemnation of the stores stated to have been captured at Kertch and Yenikale.

I am, &c.,  
(Signed) C. PAGET.

F. H. Dyke, Esq., Queen's Proctor,  
Doctors' Commons.

*No. 15.—Mr. W. G. Romaine to the Secretary of the Treasury.*

SIR, Admiralty, 31st March, 1862.

I am commanded by my Lords Commissioners of the Admiralty to send you herewith copy of a letter dated the 29th inst., from the Queen's Advocate General, addressed

to the Duke of Somerset on the subject of proceedings in the High Court of Admiralty for the condemnation of stores captured at Kertch and Yenikale, in the year 1855, and I am directed to request that you will inform the Lords Commissioners of Her Majesty's Treasury, with reference to former correspondence on this matter, that the application for a grant of money having been refused, my Lords did not consider themselves justified in withholding from the captors permission to institute proceedings in the prize court.

I am, &c.,

(Signed) W. G. ROMAINE.

The Secretary, Treasury.

[Enclosure in No. 15.]

MY LORD DUKE,      Doctors' Commons, 29th March, 1862.

Your Grace is doubtless aware of an application having been made in the spring of last year to the Queen's Proctor by Messrs. Ommanney & Co., navy agents, on behalf of certain naval officers concerned in the capture and destruction of a large amount of Russian property, afloat and ashore (including many vessels, a large quantity of coals, steam machinery, provisions, and stores), which was effected at Kertch and Yenikale by the allied land and sea forces, in the year 1855.

Some of this property was destroyed, and some of it (as the coal) was appropriated and used in the service of Her Majesty and her allies, in the warlike operations then in progress.

The object of Messrs. Ommanney & Co., on behalf of their clients, the naval officers, was and is to obtain the formal condemnation of this property as "prize" in the (Prize) Court, Admiralty, in order to be entitled there-



upon to receive from the Crown the value thereof, under the Prize Act (Russia) 1854. The extraordinary delay which has occurred in applying to the Court is attributable partly to the absence of the officers on foreign service, and partly to their expectation of receiving a grant of money from the Crown in respect of the property in question.

On the 7th May, 1861, soon after the Queen's Proctor had received Messrs. Ommanney's application, I had, in company with that officer, an interview with your Grace, in which I stated that it appeared to me very objectionable that, under the circumstances, the Crown should now make any application to the Court on the subject, on the ground that it could not satisfactorily explain the delay, and that the application would disclose great neglect and irregularity in some quarters, and that various other questions would be inconveniently raised in connection with the military forces of Her Majesty, and the naval and military forces of her allies, engaged in the operations; that if the Crown considered the naval officers in question fairly entitled to receive anything on account of the property so taken, it had the power of rewarding them by a grant of money without any application to the Court, whilst if it did not consider them to be so entitled, it should not authorise (or rather make) an application to the Court for a sentence of condemnation as prize, which would in effect operate against its own interest, by "vesting" the value of the property in the officers, and giving them, as against the Crown, a legal claim upon it, which they do not possess, and cannot acquire without such sentence.

I also pointed out that such an application, if (as would not improbably be the case) it should be refused on account of the lapse of time, would not dispose of the moral or equitable claims (if any) of the officers; and

that looking to the circumstances, very inconvenient results might ensue as to the claims of Her Majesty's military forces, and of the naval and military forces of her allies, engaged in the capture and destruction of the property in question.

I understood your Grace to have admitted the force of these objections, and the matter has stood over until the present time, when I learn that the Queen's Proctor is permitted by the Admiralty to apply to the Court, as originally requested by Messrs. Ommanney. This application (being permitted and sanctioned by the Admiralty) will be duly made to the Court, and I shall, of course, make it, as instructed by the Queen's Proctor; but I am anxious to explain to your Grace that it is not made by my advice, but that I adhere to the opinion which I expressed to your Grace on the 7th May, 1861, and that I cannot be considered as responsible for the result.

I am, &c.,

(Signed) J. D. HARDING.

His Grace the Duke of Somerset.

*No. 16.—Mr. G. A. Hamilton to the Secretary of the Admiralty.*

SIR,

Treasury Chambers, 4th April, 1862.

I am directed by the Lords Commissioners of Her Majesty's Treasury to acknowledge the receipt of your letter of the 31st ultimo, enclosing copy of a letter from the Queen's Advocate, relative to proceedings about to be instituted, under the sanction of the Board of Admiralty, in the High Court of Admiralty, for the condemnation of stores captured at Kertch and Yenikale, in the year 1855, and I am directed to observe that the circumstance of my Lords having declined, on the imperfect information before

them, to accede to a suggestion for a grant of public money to the captors of the Kertch prize, can hardly, in their opinion, be considered as a warrant to the Board of Admiralty to authorise proceedings in the High Court of Admiralty, contrary to the opinion which it appears had been previously expressed by the Queen's Advocate on the subject.

The responsibility of acting in the matter contrary to the advice of the Queen's Advocate, if the instructions given to the Queen's Proctor are irrevocable, must rest with the Board of Admiralty.

My Lords feel it right to observe that they were not made acquainted with the views of the Queen's Advocate, when their opinion on the question was sought by the Lords Commissioners of the Admiralty; but the letter of that officer, now communicated, tends very strongly to confirm the doubts, regarding the propriety of entertaining the claims of the captors, which were expressed in the letter of this Board of the 11th November last.

I am, &c.,

(Signed) GEO. A. HAMILTON.

The Secretary of the Admiralty.

*No. 17.—The Secretary of the Admiralty to the Secretary of the Treasury.*

SIR,

Admiralty, 10th April, 1862.

With reference to your letter, of the 4th instant, and to former correspondence, I am commanded by my Lords Commissioners of the Admiralty, to acquaint you, for the information of the Lords Commissioners of Her Majesty's Treasury, that a Return was made to the House of Commons, in March, 1861, "of all guns, stores, provisions, coals, and steam factory captured at Kertch and Yenikale

by the allied forces in the year 1855, and what amount of them was employed in the public service."

On the 19th June, 1861, a letter was received from the Queen's Proctor, stating that an application had been made to him to move for the condemnation of these stores, and suggesting that a grant should be made instead of his being allowed to apply to the High Court of Admiralty on behalf of the captors. A further report of the nature and value of these stores was obtained from Messrs. Ommanney, the prize agents, through the Queen's Proctor, on the 24th July, 1861, and a letter was received from the Queen's Proctor on the 17th October, in answer to one from my Lords of the 27th September, in which they were informed that the captors valued the whole prize at 120,750*l*.

A letter was therefore written to the Lords of the Treasury, stating all the facts of the case, as known to their Lordships, requesting to be informed what course the Lords of the Treasury would propose to adopt, stating the inconvenience of allowing the captors to go before the Court, and recommending a grant of a sum of money, as being an equitable and convenient mode of settling the claim.

It should be observed that this statement was entirely in accordance with the verbal opinion of the Queen's Advocate, as given to the First Lord in May 1861.

To this my Lords received an answer, dated 11th Nov. 1861, stating that "as far as their Lordships could judge from the very imperfect information afforded, there did not seem to be sufficient grounds for the interference of the Lords of the Treasury in the matter, in order to prevent proceedings in the High Court of Admiralty."

The letter further stated that in case of condemnation in Court, the Government would only be answerable for

the stores, &c., applied to public purposes, and that the captors would probably establish their claim only to a small amount.

The Queen's Proctor was informed accordingly; and on the 25th November, in answer to a letter from my Lords, requesting to be informed whether they were correct in supposing that the opinion expressed in the letter from the Lords of the Treasury, dated the 11th November, was, that the proceedings for the condemnation of the stores, &c. should be allowed to go forward, the Lords of the Treasury wrote, that by their letter of the 11th, they intended to intimate an opinion that "as far as they could judge from the facts communicated to them, there were not sufficient grounds for awarding a grant to the captors, in order to prevent them from taking such proceedings as may be open to them."

On the 11th March last, a letter was received from the Lords of the Treasury, in answer to a letter from my Lords of the 27th December, enclosing copy of a letter from the Queen's Proctor, requesting permission to move for condemnation, in which the Lords of the Treasury stated that "they had nothing to add to their letter of the 11th November, 1861, and that it appeared to their Lordships to be a question, peculiarly for the decision of the Lords of the Admiralty, whether, on consideration of the points adverted to in that letter, it would be proper to instruct the Queen's Proctor to move for the condemnation of the stores in the High Court of Admiralty."

On the 14th March the Queen's Proctor was acquainted that my Lords would not prevent an application being made by the captors, for the condemnation of the stores, stated to have been captured at Kertch and Yenikale.

With reference to your letter of the 4th instant, my Lords would only observe that the Lords of the Treasury,

in their letter of 11th Nov., after declining interference in the matter in order to prevent proceedings in the High Court of Admiralty, go on to discuss the prospects of the captors on application being made to the Court, and do not, as far as my Lords can see, express any doubts regarding the propriety of entertaining the claims of the captors to take their case to the Court for adjudication.

With regard to the responsibility of action in this matter, it must be borne in mind that my Lords, coinciding in the views which had been verbally expressed to them by the Queen's Advocate, recommended to the Lords of the Treasury that a grant should be made, urging the very same objections to allowing the matter to be dealt with by the Court, which have more recently been expressed in writing by the Queen's Advocate, in his letter of the 29th March. This was refused, and my Lords felt that they had no alternative but to allow the case to be dealt with in the usual way by the High Court of Admiralty.

Before revoking the consent given to the Queen's Proctor, my Lords wish clearly to understand the views of the Lords of the Treasury upon the matter.

The Lords of the Treasury having already refused to entertain the proposal of a grant of money to the captors, my Lords will be glad to know whether the captors are to be informed that no grant will be made, in order to settle the question of these claims, and also that an appeal to the High Court of Admiralty to decide on the merits of the case cannot be permitted by Her Majesty's Govt.

My Lords will be glad of the early consideration of the Lords of the Treasury to this subject.

I am, &c.,  
(Signed) C. PAGET.

The Secretary of the Treasury.

*No. 18.—Mr. G. A. Hamilton to the Secretary of the Admiralty.*

MY LORD, Treasury Chambers, 16th April, 1862.

With reference to your letter of the 10th instant, further relative to the condemnation of the stores, &c., captured at Kertch and Yenikale, I am directed by the Lords Commissioners of Her Majesty's Treasury, to acquaint you, for the information of the Lords Commissioners of the Admiralty, that my Lords feel it right to observe, with reference to that part of your letter in which it is stated that the Board of Admiralty "recommended a grant of a sum of money, as being an equitable and convenient mode of settling the claim," that their Lordships did not understand Mr. Romaine's letter of the 19th October to convey such a recommendation. It stated that "My Lords (of the Admiralty) consider that it will be for the Lords of the Treasury, on considering all the facts of the case, to decide whether it will be expedient to allow the captors to proceed to condemnation of these articles as prize in the High Court of Admiralty, or to grant such a sum as may seem fit to their Lordships."

My Lords felt that they ought not to be called upon to undertake the responsibility of deciding on the alternative courses thus proposed to them. If the Board of Admiralty had submitted to them the grant of a specific sum, and stated the grounds on which it could in their opinion be submitted with propriety to Parliament, it would have been the duty of this Board to consider and decide upon the proposal; but it is not their duty to decide upon the adoption of one of two courses, arising from proceedings for which the Admiralty or its officers are responsible, when no case was made out for the adoption of either.

My Lords can only repeat that, so far as they are at present advised, there are not in their opinion sufficient grounds for proposing to Parliament a grant of public money to the captors of prize at Kertch and Yenikale; and the Queen's Advocate has stated in his report abundant reasons for not instituting proceedings, after the lapse of so long a period of time, for the condemnation of the prize in the High Court of Admiralty.

I am, &c.

(Signed) GEO. A. HAMILTON.

The Secretary of the Admiralty.

*No. 19.—Mr. W. G. Romaine to Mr. F. H. Dyke.*

SIR,

Admiralty, 17th April, 1862.

With reference to former correspondence on the subject of the condemnation of stores, &c., captured at Kertch and Yenikale, I am commanded by my Lords Commissioners of the Admiralty, to acquaint you that this question has been again under the consideration of Her Majesty's Government, and it has been decided that after so great a lapse of time no grant of public money could be recommended to Parliament; and further, that on the grounds of the capture having been a joint one by army and navy, and further complicated by having been made in conjunction with the French army and navy, Her Majesty's Government do not consider it expedient that any steps should be allowed to be taken in the High Court of Admiralty towards obtaining condemnation of these stores.

I am, &c.,

(Signed) W. G. ROMAINE.

F. H. Dyke, Esq., Queen's Proctor,  
Doctors' Commons.



*Précis of Correspondence relative to Prize Money for  
the Capture of Kertch and Yenikale.*

- No. 1.—19/6/61. The Queen's Proctor informed the Admiralty that he had been requested to apply for condemnation of certain stores captured at Kertch and Yenikale by the allied forces in 1855; and he quoted from the despatch of Admiral Lyons (26/5/55) an account of the capture, in which it was stated that the enemy, surprised by the approach of the allied forces, blew up his fortifications, and, after destroying several ships and large quantities of stores, retired, leaving about 17,000 tons of coals available for the British and French steamers. The Queen's Proctor observed that the long delay of making the present claim was owing to expectation of a grant from Government, and to the absence of some officers on distant stations whose evidence was necessary; and he thought that, after such lapse of time, a grant would be more convenient than an application to the Prize Court
- No. 2.—20/6/61. for condemnation of the stores. The Admiralty requested him to stay proceedings, and afterwards desired him to inform them as to the nature of the stores, and also as to the persons
- No. 3.—8/7/61. making the application. He ac-
- No. 4.—24/7/61.

- .. cordingly transmitted copy of letter (17/7/61) and enclosures, received from the navy agents of the captors, in which eight officers were specified as the persons applying, and a long enumeration was given of the stores, a great part of which had been applied to the use of Her Majesty's Government. The Admiralty then requested him to state the total value placed by the captors on the goods captured;
- No. 5.—27/9/61. and on learning from him that the
- No. 6.—16/10/61. navy agents stated 120,750*l.*, they
- No. 7.—19/10/61. addressed the Treasury, enclosing correspondence relative to the captured stores, and gave opinion that it was for the Lords of the Treasury to decide whether to let the captors seek condemnation of the stores as prize in the High Court of Admiralty or to award them a grant; that condemnation would involve great delay and expense both to captors and Government, and the Court would probably award a large sum; and then, as the French had been joint captors, it might seem right to the Lords of the Treasury to award only the proper share of the
- No. 8.—11/11/61. British forces. In reply the Secretary of the Admiralty was informed that in the very imperfect information afforded the Lords of the Treasury did not see sufficient grounds for inter-

- fering to prevent proceedings in the High Court of Admiralty; but they doubted whether the Court, without satisfactory explanation of the long delay, would entertain the application. They supposed that the Court would only condemn as prize, leaving the value to be afterwards determined; that in this case Government would be answerable only for stores applied to public use. The Admiralty having then asked whether the foregoing communication was to be understood as allowing the proceedings for condemnation to go forward, the Treasury Board said they meant to intimate, that they did not see sufficient grounds for awarding a grant in order to prevent the captors from entering on such proceedings as might be open to them. The Admiralty then communicated to the Queen's Proctor the opinion of the Treasury Board; and he having subsequently received a further application from the navy agents (6/12/61) respecting the condemnation of the stores, and having therewith applied to the Admiralty (26/12/61) for sanction to move the High Court for such condemnation, the Admiralty requested the Treasury Board to say what answer should be given to him. The reply from the
- No. 9.—14/11/61.
- No. 10.—25/11/61.
- No. 11.—29/11/61.
- No. 12.—27/12/61.
- No. 13.—11/3/62.

- Treasury Commissioners was, that they could add nothing to their former statement respecting what appeared to them a question peculiarly for the decision of the Admiralty. The Admiralty thereupon allowed application to the Court; and they afterwards reported this proceeding to the Treasury, enclosing at same time copy of a letter from the Queen's Advocate General addressed to the Duke of Somerset (29/3 62) referring to an interview with his Grace in May, 1861, at which the Queen's Advocate had strongly advised a grant in lieu of prize money, in order to avoid various inconvenient questions that would arise from application to the Court. In that enclosure the Queen's Advocate also stated that though it now became his duty to make the authorised application to the Court, he wished to be regarded as adhering to his first opinion, and not responsible for the result. The Treasury Board replied, that their not acceding to the suggestion of a grant ought not to have been considered a warrant to the Admiralty to authorise application to the Court, contrary to the opinion of the Queen's Advocate of which the Treasury Board were uninformed when their opinion was
- No. 14.—14/3/62.
- No. 15.—31/3/62.
- No. 16.—4/4/62.

No. 17.—10/4/62.

sought; and that the letter of that officer strongly confirmed their doubts as to the propriety of entertaining the claim. If the Admiralty could not now revoke the permission they had granted, the responsibility of acting against the opinion of the Queen's Advocate must rest with them. In reply, the Admiralty Commissioners, after mentioning that in March, 1861, a Return had been made to the House of Commons of all the captured stores, and what amount of them was used in the public service, and after quoting several successive portions of the above correspondence, referred particularly to a statement they had made to the Treasury Board, in recommendation of a grant, which statement accorded with the verbal opinion of the Queen's Advocate. They stated that the Treasury Commissioners, in their letter discussing the prospects of the captors, were not understood to express any doubts as to the propriety of entertaining the claim, and that though the Admiralty urged upon the consideration of the Treasury the very same objections to allowing the matter to go before the Court, as more recently were expressed in writing by the Queen's Advocate, the Treasury refused the recommendation of a grant,

- and left the Admiralty no alternative but to allow the case to be dealt with by the Court. Before revoking the consent given to the Queen's Proctor, the Admiralty Commissioners now wished clearly to understand whether the captors were to be informed that no grant would be made, and no appeal to the Court permitted. The Treasury Board then maintained that the Admiralty had not distinctly recommended a grant, but had stated that it would be for the Lords of the Treasury to decide whether a grant should be made, or whether the case should go before the Court; and they did not think they ought to be called upon to decide on these alternatives. They concluded by repeating that they had not sufficient grounds for proposing to Parliament a grant of money to the captors, and that the Queen's Advocate had stated abundant reasons against instituting proceedings for condemnation of the prize. The Admiralty Board then informed the Queen's Proctor that, the claim for capture having been again under the consideration of Government, it was decided that after so long a time no grant could be recommended to Parliament; and that the question of the capture being complicated by the conjunction of
- No. 18.—16/4/62.
- No. 19.—17/4/62.

army and navy, each composed of French and British, it was not expedient to allow application to the Court.

We have already admitted that the above Précis may comprehend more than the time allowed to a candidate would permit him to include; and we may here add that, in actual business, it often happens that a précis of such a series of letters is wanted at so short a notice that about half the quantity of the above might be as much as could be accomplished by the most practised and expert précis clerk. The narrative we have given is perhaps as long as under any circumstances it ought to be; it may be read with due attention in about five minutes: the reading of the original occupies about half an hour.

It may be useful here to direct the student's attention to an Index Abstract or Schedule of the correspondence. The Schedule might have been prefixed to the Parliamentary Paper in the following form:—

## SCHEDULE.

| Correspondents                                                | Date     | Subject                                                                                                                                                               |
|---------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| No.                                                           | 1861     |                                                                                                                                                                       |
| 1. Mr. Dyke<br>to Mr. Romaine                                 | June 19  | Particulars of capture of Kertch and Yenikale. Mr. Dyke had been requested to apply for condemnation of captured stores; but suggests a grant in lieu of prize money. |
| 2. Mr. Pennell<br>to Mr. Dyke                                 | June 20  | Requesting Mr. Dyke to stay proceedings.                                                                                                                              |
| 3. Mr. Pennell<br>to Mr. Dyke                                 | July 8   | Inquiring as to the nature of the stores, and as to the persons applying for condemnation.                                                                            |
| 4. Mr. Dyke<br>to Mr. Romaine                                 | July 24  | Transmitting the requested information.                                                                                                                               |
| 5. Mr. Romaine<br>to Mr. Dyke                                 | Sept. 27 | Asking what value the captors put upon the goods.                                                                                                                     |
| 6. Mr. Dyke<br>to Mr. Romaine                                 | Oct. 16  | Stating the value assigned by the navy agents.                                                                                                                        |
| 7. Mr. Romaine<br>to Secretary of<br>Treasury                 | Oct. 19  | Submitting that the Treasury should decide whether a grant of money or an application for condemnation is to be sanctioned.                                           |
| 8. Mr. Hamilton<br>to Secretary of<br>Admiralty               | Nov. 11  | The Treasury Board do not feel justified in interfering to prevent the application; but doubt whether it will be entertained.                                         |
| 9. Secretary of Ad-<br>miralty<br>to Secretary of<br>Treasury | Nov. 14  | Inquiring whether the preceding letter means that the application for condemnation may be permitted.                                                                  |
| 10. Secretary of<br>Treasury<br>to Secretary of<br>Admiralty  | Nov. 25  | The Treasury Board meant to express that they did not see sufficient grounds for proposing a grant in order to prevent application to Court.                          |
| 11. Mr. Romaine<br>to Mr. Dyke                                | Nov. 29  | Reporting that the Treasury decline to propose a grant, and doubt whether the claim for prize would now be entertained.                                               |
| 12. Mr. Romaine<br>to Secretary of<br>Treasury                | Dec. 27  | Transmitting copy of letter from the Queen's Proctor, with further application to him from the navy agents; and asking what answer should be given to him.            |



SCHEDULE—*continued*.

| Correspondents                                      | Date     | Subject                                                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| No.                                                 | 1862     |                                                                                                                                                                                                                                                                                                                             |
| 13. Secretary of Treasury to Secretary of Admiralty | Mar. 11  | The Treasury Board can add nothing to their statement of Nov. 11th. It is for the Admiralty to decide what answer should be given to Mr. Dyke.                                                                                                                                                                              |
| 14. Secretary of Admiralty to Mr. Dyke              | Mar. 14  | The Admiralty allow application to the Court.                                                                                                                                                                                                                                                                               |
| 15. Mr. Romaine to Secretary of Treasury            | Mar. 31  | Transmitting copy of letter addressed to the Duke of Somerset by the Queen's Advocate maintaining a previously expressed opinion, that application to Court should be prevented by a grant. The Admiralty had allowed application to Court because the Treasury refused the suggestion of a grant.                          |
| 16. Mr. Hamilton to Secretary of Admiralty          | April 4  | The Treasury Board's objection to a grant did not warrant the Admiralty to authorise Court proceedings contrary to the advice of the Queen's Advocate.                                                                                                                                                                      |
| 17. Secretary of Admiralty to Secretary of Treasury | April 10 | Stating that the Admiralty had previously dissuaded application to Court; but had now allowed that application because the Treasury objected to a grant, and were not understood to have expressed doubts of the propriety of the claim. Requesting to be enabled to give a final answer to the Queen's Proctor.            |
| 18. Mr. Hamilton to Secretary of Admiralty          | April 16 | Arguing that the Admiralty had not distinctly recommended a grant, but had asked the Treasury to decide upon the alternative of a grant or an application to Court. The Treasury refuse to propose a grant; and they think that the Queen's Advocate has stated abundant reasons for not allowing application to the Court. |
| 19. Mr. Romaine to Mr. Dyke                         | April 17 | Revoking the consent given to the Queen's Proctor.                                                                                                                                                                                                                                                                          |

3. The student may familiarise himself with the compilation of *Continuous Précis*, by employing for that purpose some of the Epistolary Exercises of Set G, pp. 79 to 96. And for a longer Supplementary Exercise similar to the Example just given, we supply the following Parliamentary Paper.

*Correspondence explaining the Arrangements that have been made for permitting Officers in the Naval or Military Service of Her Majesty to accept Employment under the Government of China.*

No. 1.—*Mr. Lay to Earl Russell.*—(Received June 16.)

MY LORD,

Star and Garter Hotel, Richmond,  
16th June, 1862.

In submitting the inclosed brief Memorandum to your Lordship, I have the honour to state that, should the project therein referred to meet with the approval of Her Majesty's Government, it would be necessary, in order to enable me to take action in regard to it—

1st. That Sir John Bowring's Neutrality Ordinance of 1854, which makes it an offence, punishable by fine or by imprisonment, to serve the Chinese Government or the rebels in a military capacity, or to supply either party with munitions of war, be repealed.

2ndly. That leave of absence be given to officers in H.M. Navy who may wish to join the proposed naval force.

3rdly. That Her Majesty's Government notify to our civil and naval authorities in China, that the organisation of the naval force in question has the sanction of Her Majesty's Government.

I have, &c.,

(Signed) H. N. LAY,

Inspector-General of Chinese Customs.

[Inclosure in No. 1.—Memorandum.]

(Extract.)

The Chinese Government, deeply impressed with the necessity for the organisation of a European naval force to re-establish order throughout the Empire, have authorised the appropriation of a portion of the Customs revenue for the purchase of vessels, and the engagement of officers and men. The organisation of such a force has been entrusted to Mr. Lay, Inspector-General of Chinese Customs.

1. Mr. Lay proposes, as the first step, to obtain the sanction of Her Majesty's Government, in order that officers and men, British subjects, may be at liberty to take employment under the Chinese Government.

2. Such sanction being obtained, the force would be devoted to the following objects:—

(a) To re-establish Imperial authority upon the Yang-tze, and commercial security upon the inner waters.

(b) To suppress piracy between the open ports.

3. Mr. Lay feels sure that this project will recommend itself to Her Majesty's Government for the following amongst many other reasons:—

It will relieve this country of a large expenditure at present incurred in the maintenance of our present fleet in China.

It will in no way compromise Her Majesty's Government, while it possesses at the same time all the advantages without the inconveniences of direct aid.

*No. 2.—Mr. Hammond to the Secretary to the Admiralty.*

SIR,

Foreign Office, 17th June, 1862.

I am directed by Earl Russell to transmit to you a copy of a letter from Mr. H. N. Lay, who is in the service of the Chinese Government as Inspector-General of Chinese Customs, submitting for the approval of H. M. Government a scheme for organising a European naval force in order to re-establish order throughout the Chinese Empire.

I am to request that you will submit this scheme for the consideration of the Lords Commissioners of the Admiralty, and move them to favour Lord Russell with such observations as they may have to offer thereupon.

I am, &amp;c.,

(Signed) E. HAMMOND.

*No. 3.—The Secretary to the Admiralty to Mr. Hammond.**(Received June 26.)*

SIR,

Admiralty, 25th June, 1862.

I have laid before my Lords Commissioners of the Admiralty your letter of the 17th instant, inclosing a scheme by Mr. Lay, Inspector-General of Chinese Customs, for organising a European naval force, in order to re-establish order throughout the Chinese Empire, and requesting to be favoured with any observations their Lordships may have to offer thereon.

My Lords desire me to state, for the information of Lord Russell, with reference to Mr. Lay's proposition for rescinding the Order of 1854, prohibiting British subjects entering the service of the Chinese Government, &c., that the Order in question has already been virtually abrogated by the recent instructions to British authorities in China,

and that Lord Russell can best judge whether any more formal repeal is necessary.

My Lords will have no objection to grant leave to any officers whose services may not be required, and who may apply through the Foreign Office for permission to join the Chinese force.

With regard to notifying to our Civil and Naval authorities in China that the organisation of the Chinese naval force has the sanction of Her Majesty's Government, it will be desirable, if the Secretary of State should think fit to give his sanction to the organisation of the force, that my Lords should be informed of the nature of the organisation, and as to the measures which may be decided upon respecting it.

I am, &c.,

(Signed) C. PAGET.

*No. 4.—Mr. Hammond to the Secretary to the Admiralty.*

SIR,

Foreign Office, 1st July, 1862.

I have laid before Earl Russell your letter of the 25th ultimo, relative to the proposed organisation of a European contingent in China, and I am, in reply, to request that you will state to the Lords Commissioners of the Admiralty that, in Lord Russell's opinion, every officer, naval or military, entering the Chinese service should have the Queen's licence for so doing.

I am, &c.,

(Signed) E. HAMMOND.

*No. 5.—Mr. Hammond to Sir F. Rogers.*

SIR,

Foreign Office, 1st July, 1862.

I am directed by Earl Russell to request that you will move the Duke of Newcastle to cause his Lordship to

be informed, at his earliest convenience, whether any Ordinance is now in force in China to the effect of that of the 17th of January, 1855 (No. 1 of 1855)\* enjoining the observance of neutrality by Her Majesty's subjects between the contending parties in China; and if so, that Lord Russell may be furnished with a copy of it.

I am, &c.,  
(Signed) E. HAMMOND.

*No. 6.—Sir F. Rogers to Mr. Hammond.—(Received July 2.)*

SIR,

Downing Street, 1st July, 1862.

In answer to your letter of this date, I am directed by the Duke of Newcastle to state, for the information of Earl Russell, that Sections 3 to 8 of the Hong Kong Ordinance, No. 1 of 1855 (which, after being once renewed, expired on the 1st January, 1857), were revived and made perpetual by an Ordinance passed in July, 1857; but that his Grace cannot find that there is any Ordinance now in force continuing the provisions of the 1st Section of the Ordinance of 1855, which Section enjoined the observance of neutrality by Her Majesty's subjects between the contending parties in China.

I am, &c.  
(Signed) FREDERIC ROGERS.

*No. 7.—Mr. Layard to the Secretary to the Admiralty.*

SIR,

Foreign Office, 3rd July, 1862.

With reference to your letter of the 25th ultimo, I am directed by Earl Russell to transmit you a copy of a letter from the Colonial Office,† from which it appears that

\* Commercial Treaties, vol. x. p. 61.

† No. 6.

there is no longer any Ordinance in force enjoining the observance of neutrality by Her Majesty's subjects between the contending parties in China, and I am to request that, in laying the same before the Lords Commissioners of the Admiralty, you will state that it does not appear to Lord Russell that there is any legal difficulty in the way of any of Her Majesty's subjects entering the military or naval service of China under licence from the Crown.

I am, &c.,

(Signed) A. H. LAYARD.

*No. 8.—Captain Osborn to Mr. Layard.—(Received July 8.)*

8 Southwick Street, Oxford Square, London,

8th July, 1862.

SIR,

The Admiralty having informed me that the request for an officer to be lent to a foreign Government must come through the Department of the Secretary of State for Foreign Affairs, I beg respectfully to request that you will be pleased to move the Lords Commissioners of the Admiralty to grant me leave to take temporary employment under the Chinese Government, for the purpose of organising a naval and military force for the suppression of piracy in that empire.

I have, &c.

(Signed) SHERARD 'OSBORN.

*No. 9.—Mr. Layard to the Secretary to the Admiralty.*

SIR,

Foreign Office, 8th July, 1862.

With reference to my letters of the 1st and 3rd instant, I am directed by Earl Russell to transmit to you a copy of a letter from Captain Osborn, requesting that permission may be obtained for him from the Admiralty to enter temporarily the military service of the Chinese

Government, and I am to request that you will move the Lords Commissioners of the Admiralty to give the requisite permission to Captain Osborn accordingly.

I am, &c.,

(Signed) A. H. LAYARD.

*No. 10.—The Secretary to the Admiralty to Mr. Layard.—*  
(Received July 10.)

SIR,

Admiralty, 9th July, 1862.

I am commanded by my Lords Commissioners of the Admiralty to acquaint you, for the information of Earl Russell, with reference to your letter of yesterday's date, that permission has this day been given to Captain Sherard Osborn, R.N., C.B., to enter temporarily the military service of the Chinese Government.

I am, &c.,

(Signed) C. PAGET.

*No. 11.—Mr. Lay to Earl Russell.—(Received July 10.)*

MY LORD,

Reform Club, Pall Mall, 9th July, 1862.

In obedience to the provisions of the Foreign Enlistment Act, I have the honour to apply to your Lordship for Her Most Gracious Majesty the Queen's licence, authorising me, Horatio Nelson Lay, and Sherard Osborn, a Captain in the Royal Navy, to accept naval and military service in the employ of the Chinese Government; to fit out and equip vessels for warlike purposes in China; and to enlist British subjects to serve in naval and military operations in China.

I have the honour to inclose copy of a letter from the Lords Commissioners of the Admiralty granting leave of



absence for the above-mentioned purpose to Captain Sherard Osborn.

I have, &c.,  
(Signed) H. N. LAY.

[Inclosure in No. 11. *The Secretary to the Admiralty to Captain Osborn.*]

SIR, Admiralty, 9th July, 1862.

With reference to a letter dated the 8th instant, received from the Under-Secretary of State for Foreign Affairs, I am commanded by my Lords Commissioners of the Admiralty to acquaint you that they are pleased to grant you permission to enter, temporarily, the military service of the Chinese Government.

I am, &c.,  
(Signed) C. PAGET.

*No. 12.—Mr. Layard to Mr. Waddington.*

SIR, Foreign Office, 10th July, 1862.

I am directed by Earl Russell to transmit to you a copy of a letter from Mr. Horatio N. Lay, applying for the Queen's licence, to enable him and Captain Sherard Osborn, R.N. (who has received leave from the Admiralty), to accept military and naval service under the Chinese Government, and I am to request that you will lay this application before Secretary Sir G. Grey for his favourable consideration.

I am, &c.,  
(Signed) A. H. LAYARD.

*No. 13.—Notice to Officers Volunteering for Service under the Chinese Government.*

Service performed under the Imperial Government of China will not be considered as service in the Navy, as regards pay, time, promotion, &c.

In the event of the Senior Officer in command having the power, under the Imperial Chinese Government, of awarding promotion in that service to officers serving under his command, the same will not be considered as a claim to promotion in the Royal Navy.

In the event of an officer being wounded in this service, he will not be entitled to a pension for wounds; nor, if killed in action, will his widow be entitled to any more than the ordinary pension awarded to the widow of an officer dying while on half-pay.

(Signed) C. PAGET.

Admiralty, 12th July, 1862.

*No. 14.—Mr. Clive to Mr. Layard.—(Received July 25).*

SIR,

Whitehall, 25th July, 1862.

I have laid before Secretary Sir George Grey your letter of the 10th instant, addressed to Mr. Waddington, inclosing a copy of a letter from Mr. H. N. Lay, applying, as stated in your letter, for the Queen's licence to enable him and Captain Sherard Osborn of the Royal Navy to accept military and naval service under the Chinese Government, and in which you request that the application might be laid before Secretary Sir George Grey for his favourable consideration.

Sir George Grey does not think there could be any objection to such licence being granted, on the usual terms;

but I am to observe that Mr. Lay in his letter, applies not only for such licence, but also for leave to fit out and equip vessels for warlike purposes in China, and to enlist British subjects to serve in naval and military operations in China. I am, therefore, to request that you will acquaint me, for Sir George Grey's information, whether Earl Russell is of opinion that it would be expedient to comply with this request, which is an unusual one, and which he apprehends could only be complied with under the authority of an Order of Her Majesty in Council.

I am, &c.

(Signed) G. CLIVE.

*No. 15.—Mr. Layard to Mr. Clive.*

SIR,

Foreign Office, 30th July, 1862.

I have laid before Earl Russell your letter of the 25th instant, suggesting, in answer to my letter of the 10th instant, that leave to enlist British subjects for service under the Chinese Government could only properly be granted by an Order of Her Majesty in Council.

Lord Russell had in the meantime consulted the Law Officers on the point; and I am to transmit to you, to be laid before Secretary Sir G. Grey for his information, a report from the Attorney and Solicitor-General, which is to the same effect.

Under these circumstances it is not considered desirable to take any measures with reference to Mr. Lay's desire to enlist British subjects for service in China; and Lord Russell proposes that the interference of Her Majesty's Government should be limited to granting licences, under the Royal Sign-Manual, to enter the Chinese service, and also to fit out and equip vessels for the Chinese Govern-

ment, according to the opinion of the Attorney and Solicitor-General, that there can be no objection to issuing such licences.

I am accordingly to request that you will move Secretary Sir G. Grey to cause these licences to Mr. Lay and Captain Osborn, and such other officers as may be selected by Captain Osborn, to be prepared for the Queen's signature.

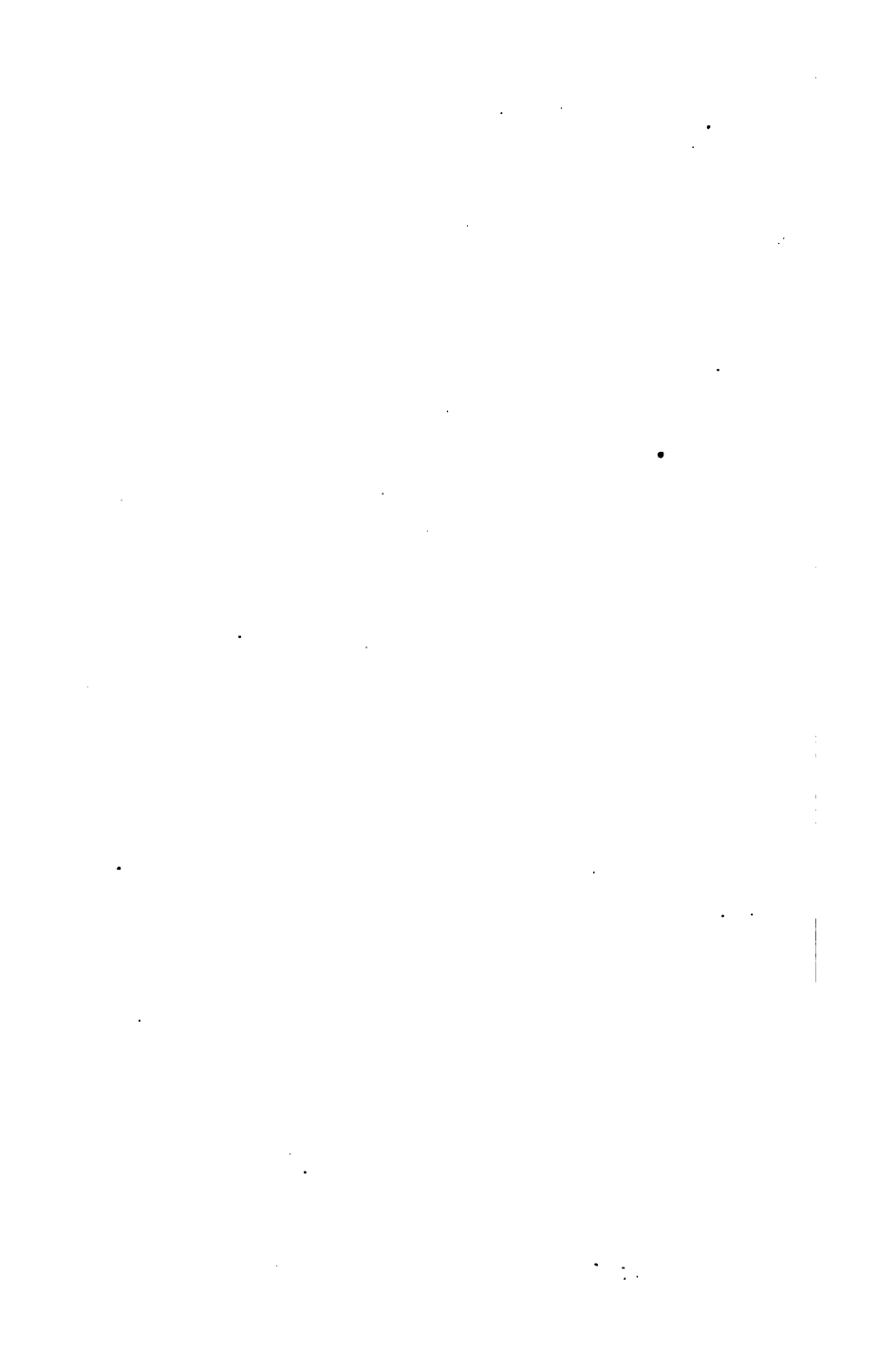
I am, &c.,

(Signed) A. H. LAYARD.

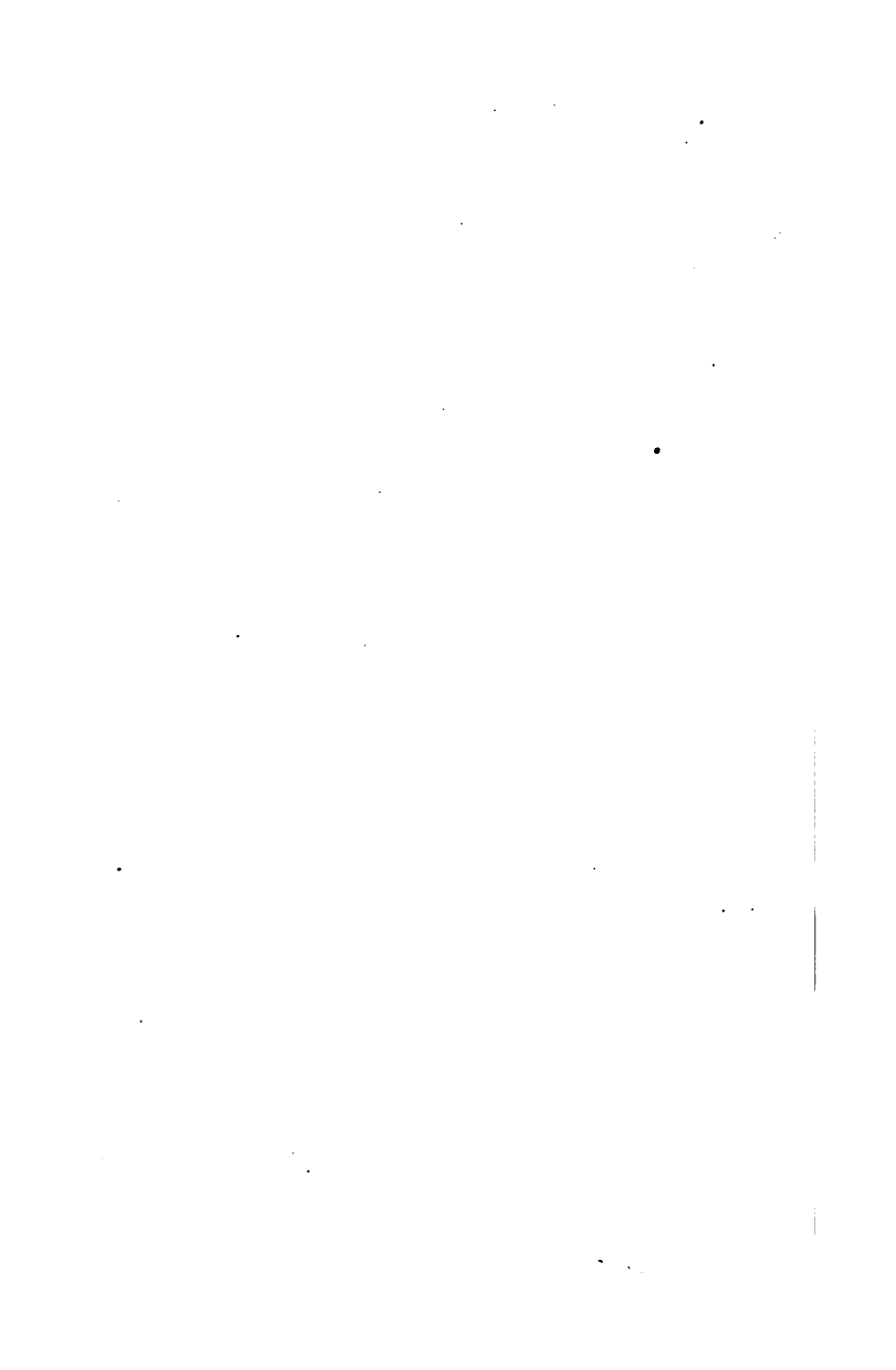
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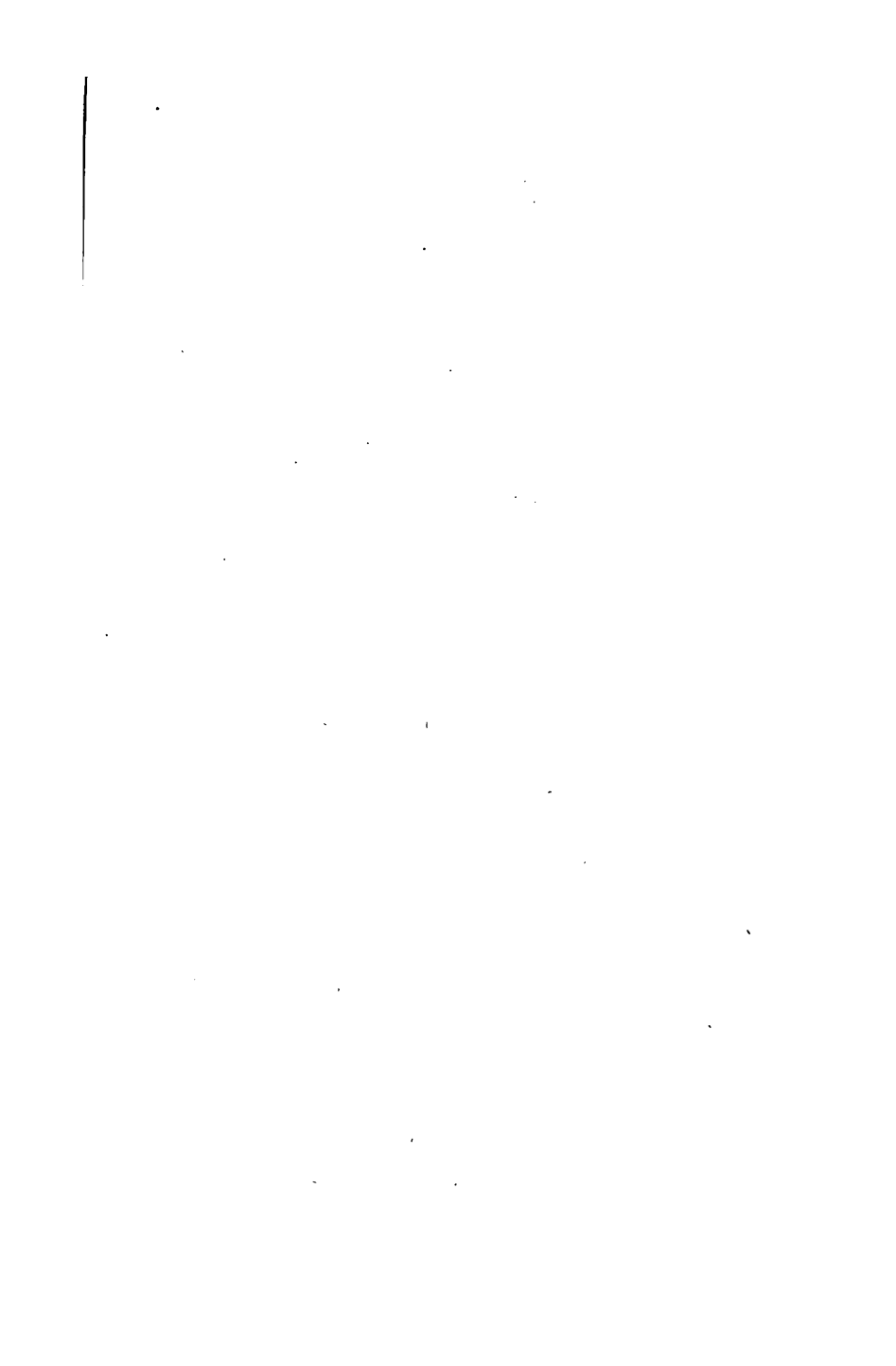
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